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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act



First Session, 33rd Parliament
Thursday, September 12, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC





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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 12, 1985

The committee resumed at 7:36 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

METRO DISTRICT COUNCIL OF THE CANADIAN UNION OF PUBLIC EMPLOYEES

The Acting Chairman (Mr. Reville): The first deputation of this evening is the Metro District Council of the Canadian Union of Public Employees. Ms. Darcy, I wonder if you would like to introduce your delegation.

Ms. Darcy: I am Judy Darcy. I am president of the Metro Toronto District Council of CUPE. We represent approximately 27,000 public employees in the Metro area, including 6,500 school board workers in the public and separate school board systems.

I will start on my right. Jan Rowan is the president of CUPE Local 1328, which is the clerical local in the Metropolitan Separate School Board. Jack Kirkby is the provincial co-ordinator for school board locals for CUPE. John Calvert is a senior research officer in our national office in Ottawa. On my far left is Don Paton, the president of CUPE Local 994, the caretakers in the city of York; and then George Messenger, who is a retired member of CUPE Local 134, Toronto board of education caretakers, and a part-time business agent for that local.

The Acting Chairman: Thank you. For purposes of Hansard, the exhibits are numbers 632 and 632A. Please proceed. Would you like to take us through your brief?

Ms. Darcy: I would like to just comment first. We thought it might be necessary to comment that the colour orange does not signify anything about the content of our brief. You will notice that the earlier—

The Acting Chairman: I am desolate to hear that.

Ms. Darcy: There were some people who thought that might be a concern. Our earlier brief presented to the Commission for the Planning and Implementation of Change in the Gover-

nance and Administration of Secondary Education in Ontario in February was green.

The Acting Chairman: Green? Actually, green is fine, too.

Interjection.

Ms. Darcy: The Ontario division's brief is blue. We hope we do not have to submit any further briefs, otherwise we may run out of colours.

We have requested the opportunity to appear before you today because of our concern about some of the problems our members face with respect to the implementation of separate school funding in the Toronto area. As you are probably aware and as I mentioned, we presented a brief to the planning and implementation commission last February, expressing our concerns. The Ontario division of CUPE also presented a brief then and another to your committee in July of this year. It is not our intention to repeat what is covered in that brief.

The main points are summarized in an appendix at the back of our brief, so we are not going to spend a lot of time on those. We are going to highlight some issues of particular concern to us that we do not feel are adequately covered in the present legislation and are not being adequately addressed by the school boards which employ our members.

We can start on page 2 of the brief. I will not run down all the local numbers and certifications that are involved. I mentioned that we represent 6,500 school board workers in 15 locals in the public board and in two locals in the separate school board. We cover a very wide range of classifications, including caretakers, tradesmen, teacher's aides, clerical staff, library aides, draughtsmen, technicians and human relations officers. That is just a fraction of the various classifications.

On pages 2 and 3 of the brief, you have a listing of all of the local unions and the certifications they cover. In some instances you will notice the local number appears more than once. That is because there is more than one certification in the particular work place. For instance, there are three subunits within Local 1749 in the city of York.

As I mentioned, our Metro council, on whose behalf this brief is presented, represents more than 27,000 public employees, including those at libraries, municipalities, day care centres, social services and a wide range of other jurisdictions. Our submission takes into account our overlapping concerns as employees at the public and separate school boards, as parents with children in both school systems and as taxpayers who support both the public and separate boards in Metro Toronto.

Before we begin, I would like to underline that our council has not taken a position, as you may or may not be aware, on the issue of funding per se as to whether we are for or against it. As with the populace of Ontario at large, our members have many different opinions. I am sure the people at our table here have different opinions on the subject.

The bottom line for us is that as a union and as a council we are attempting to protect the members we represent at both the separate and public boards, and that is what our brief addresses. We also have concerns as taxpayers and as citizens in general about the quality and nature of our educational system.

The first issue we would like to deal with, which we highlight on page 4 of the brief, is that with the boards and in general we feel that in the debate on the extension of funding the concerns of nonteaching staff have not been given adequate attention in the implementation process. The extent of consultation has varied from board to board, but too often our members have been informed of decisions after the fact, if they have been informed at all.

There are documents that are never brought to the attention of our members; in particular, the plans for secondary school programs for the Roman Catholic separate school boards and the impact statements on the public boards. Our locals do not receive those documents. We appreciate the efforts that have been made by the planning and implementation commission and also by your committee to address these matters. However, the fact remains that most school boards do not feel they need to devote much energy to consulting with nonteaching staff.

Consequently, we would like to ask specifically that this committee request or direct that the planning and implementation commission issue a directive to all school boards outlining quite explicitly that they are obligated to consult fully with the union representing nonteaching staff. That is our first recommendation to you.

The second issue we would like to deal with is the issue of contracting out. As the brief states, this is perhaps the most significant concern we have regarding our members in the Metro area at the present time. The possibility that contracting out will limit the number of jobs available at the Metropolitan Separate School Board for our members at the public boards who might be displaced is of great concern to our members.

There are at least two separate components to the contracting-out issue. The first is that many jobs in the public boards are currently contracted out at the Metropolitan Separate School Board. For example, the MSSB does not have cooks, cafeteria helpers and cafeteria managers; two of the public boards do. If schools currently owned by the public boards are transferred to the MSSB, the question arises as to where these people would go, because there are no corresponding positions at the MSSB.

Similarly, several public boards have painters, yet this classification does not exist at the MSSB because painting is contracted out. Two public boards have auto mechanic classifications; the separate board uses private contractors to do that work. Three public boards have bus drivers, while all the bus transportation at the separate board is contracted out.

I will not go through the whole thing for you, but we have compiled a list of the classifications that exist in the public and separate boards in the Metro Toronto area. I am sure you can see as you go through it that there are significant numbers of classifications in the various public boards that do not exist at the separate board. In most cases, that is because the separate board contracts out the positions.

By way of explanation, on pages 6 and 7 it says "Classification," and then over to the right at the top of the column it should say "number of boards;" so that under "public only" we are saying, for instance, that for "A/V Technician" there is one public board where that classification exists and so on down the line. That does not refer to the number of A/V technicians; it refers to the number of locals where that classification exists.

The Acting Chairman: I suppose you are drawing our attention to those that have dashes.

Ms. Darcy: Yes, we are. There is only one Metropolitan Separate School Board, so a number 1 means the Metropolitan Separate School Board has that position.

Clearly this presents us with a serious problem. One answer, which we suspect the Metropolitan Separate School Board would be reluc-

tant to implement, would be for the board to take back this work and to employ workers in the relevant classifications. While this may sound very dramatic, it is not quite as dramatic a change as might at first be imagined. In most cases, if not all, the costs would not be significantly different if the MSSB employed its own workers to do these jobs.

Moreover, any arguments the MSSB may have used in the past to justify contracting out on the basis that its financial resources were less than those of the public boards no longer have any force. If the separate board is to receive full public funding and the resources to expand its operations significantly, we do not feel that a request to take back this contracted-out work is unreasonable. Certainly it would facilitate better co-operation with all the CUPE locals in the public boards in Metro Toronto.

The second aspect of the problem is one that has already been raised with you in the brief presented by the Ontario division of CUPE. It is the apparent policy of the MSSB to contract out cleaning in newly acquired high schools. A couple of the members of our committee will elaborate on that further. Before full funding was announced, the MSSB had cleaning contracts in only two buildings in its entire system, the Catholic Education Centre on Sheppard Avenue and Don Bosco Separate School. Since the funding announcement was made, it acquired Alderwood Collegiate Institute from the Etobicoke Board of Education, and it is now called Michael Power South Campus. The cleaning of this school has been given to private contractors.

Local 1280, which represents caretaking and cleaning employees at the MSSB, wrote to the planning and implementation commission concerning this issue several months ago. Thus far, no action has been taken to stop the contracting out and we have received no indications from the commission that it intends to do anything about the matter.

In the absence of action by the commission, we feel the MSSB will decide it has a green light to contract out the cleaning and maintenance of all additional high schools it acquires from the public boards in Toronto. If this happens we feel it will undermine totally the promises made to us that CUPE jobs would be protected during the implementation process.

In fact, at a MSSB properties committee meeting of September 4, a memorandum was received from the director of education outlining that board's policy regarding contracting out. The memo resulted from an August 15 request

from the board for an interpretation of the May 16 board meeting dealing with contracting out. The director's interpretation was as follows:

"(1) Don Bosco Separate School and the Catholic Education Centre will continue to have janitorial services provided by the combination of MSSB and contracting-out technique;

"(2) Other existing school facilities owned and/or operated by the board as of May 16, 1985, where janitorial services are performed by MSSB forces will not be subject to the combination of MSSB and contracting-out technique; and

"(3) School facilities acquired by the board after May 16, 1985, may be considered for the combination of MSSB and contracting-out technique."

We feel the contracting out in the MSSB adversely affects our members in that board by limiting opportunities for job transfers and promotions. It also means that for our members who work in the public boards who may be displaced there is an overall contraction of positions. Therefore, it hurts our members in both of those boards.

We would urge the legislative committee to put an immediate ban on contracting out during the implementation process. We feel very strongly that this should be included in the legislation and we hope you will consider recommending it to the appropriate body. We have repeatedly asked the MSSB to stop the practice of contracting out. It has ignored our requests and, consequently, legislative action is now required.

I would like to ask Jan Rowan, who works for the Metropolitan Separate School Board, to explain the situation that has quite recently developed in that board concerning contracting out, just to make it clear that it is not a theoretical or hypothetical situation we are talking about.

Mrs. Rowan: The board of trustees at their full meeting on August 16, 1985, made it absolutely clear they have every intention of contracting out.

The Vice-Chairman: Would you make sure you are speaking as closely to the microphone as possible?

Mrs. Rowan: Oh, I am sorry. I do not have much trouble with people hearing me as a rule.

As I said, the board of trustees at their meeting on August 16, 1985, when they agreed to contract out Alderwood Collegiate, which is now Michael Power South Campus, made it abundantly clear to me they have absolutely no intention of limiting the contracting out. As a matter of fact, I think it is their intention that

every new high school facility be contracted out, and this is certainly of grave concern to us.

7:50 p.m.

I do not represent the cleaners and caretakers of the school board, but I do represent the office, clerical and technical staff, and we do have contracting out in our unit as well, not to the same extent as the caretakers but the board definitely is moving in this direction.

Ms. Darcy: If you have any questions on that, we would be glad to answer them afterwards.

The next point our brief addresses is the problem of no corresponding classifications. There are problems associated with the fact the public boards have a number of classifications which simply do not exist in the separate boards. There are several reasons for this. One is that the scope of the bargaining units is different. The second reason is the public boards offer a number of programs not offered by the Metropolitan Separate School Board, and the third is that some workers who are organized in the public boards are unorganized, that is they have no union representation, at the MSSB. We list some of the classifications which do not exist at the MSSB. I will not run through all of those.

I would like to make just one particular point. Dealing with the last one we mentioned—certified stationary engineers in Local 63—we are talking about the entire bargaining unit. There are 240 members in Local 63 and there are no certified stationary engineers in the Metropolitan Separate School Board. This again is not a hypothetical concern that could happen down the road. If any of those people are displaced there is currently no place for them to go.

Moreover, there are other mismatches. For example, in the Toronto public board there are seven categories for clerks; in the MSSB there are only four classifications for clerks.

We are certain that with more research other differences in the classification structures would quickly come to light; but just from the sampling we have given you, and from the charts earlier in the brief, it should be clear the problem is a very real one.

We are also apprehensive about how the employees transferred will be placed in the classification structure of the MSSB. What would we do, for example, with a senior systems analyst earning about \$45,000 per year in the Toronto public board when the highest paid bargaining unit members in the separate board doing the same kind of work earn \$10,000 less? While this may seem an extreme example, it

nevertheless illustrates how serious the problem could become.

We would just like to mention here that many of us in CUPE attended a conference of our union last weekend, a conference of our school board workers in Kitchener. A Mr. Clifford, who works with the Ministry of Education and who was asked to come to address CUPE members' concerns, gave a verbal assurance that displaced persons for whom there are no comparable positions in the Metropolitan Separate School Board would not be displaced. They would stay in the public boards and they would be kept on in the public boards indefinitely.

Our members were very glad to hear that. They were also glad to hear Mr. Clifford mention there would be a special fund to pay for this, but we feel the wording in the bill is not clear enough on that matter. If that is the case, it should be clearly spelled out. If they are going to be kept in the public boards, will the moneys be provided to pay for that? For how long? Is there a time limit? Is it 10 years, as is mentioned for some of the other provisions in the brief? Are these people also going to be red-circled; that is, have their wages frozen and then dropped afterwards? What happens to their benefits? We have several questions which we feel the bill does not answer.

As I said, Mr. Clifford gave us some verbal assurances, but we think if you are prepared to give those assurances, they should be enshrined in law as are the other protections.

The next issue we would like to deal with is the issue of part-time workers. It has not been resolved how part-time workers are to be dealt with in the transfer process. As I am sure you are aware, part-time employees are particularly vulnerable in the work force in general, and in a situation like this where there could be a great deal of instability and transfer, they could be especially vulnerable.

We do not know how their seniority is to be established by the commission. Is it years of service? Is it hours of work prorated? Nor have we heard how they will be dealt with in terms of being given similar part-time employment at the MSSB when corresponding positions do not exist.

We believe transfers of part-time workers ought to be based on seniority as they are for full-time workers. We feel the determination of seniority should be according to the negotiated provision on this issue in the collective agreement of the local they are leaving.

On this score specifically, we would like to suggest—our brief does not note this; it was

something we discussed and came up with afterwards—that the legislation should contain a definition of “employee” which includes full- and part-time employees. It is never stated that is the case. If that is your intention, we would like it there; if it is not your intention, we would urge you to change your minds and put it in.

In dealing with our employers, our experience is that when there is no specific provision that says “employee” means full-time, temporary or part-time, the employer generally interprets it as meaning only full-time and permanent; so we would like it clear that part-time employees are covered.

We do have one specific example we want to bring to your attention at this time. In CUPE Local 1749, subunit B, in the city of York, part-time teacher aides are organized; in the Metropolitan Separate School Board they are not organized. I will let Jack Kirkby comment on that briefly.

Mr. Kirkby: I have been thinking about it for a second, and Local 1353 in the city of North York also has its teachers’ aides organized.

Should any of these people be declared surplus on account of the separate school funding, they might be moved into a separate school board where there is no bargaining unit, which would have the effect of decertifying and taking away their bargaining rights. That concerns us deeply.

The ramifications can run the full range from a situation where some of these teachers’ aides who are active trade unionists in their locals are all of a sudden put into work situations where there is no collective agreement and they lack the protections of a collective agreement, to a situation where they may even be discriminated against on the basis that they did take an active part in union activities with their former employers. These situations have serious ramifications for our members who would be affected in that way.

Ms. Darcy: Close to the final issue we would like to deal with is the issue of red-circling.

Our members have noted with concern that the wages and benefits of employees transferred to the Metropolitan Separate School Board would be retained at existing levels until the employees of the MSSB caught up. We feel that if a promise has been made that employees will not suffer, it is only fair that superior provisions be retained. We cannot accept the principle of red-circling.

If we can expand on that briefly, in the past the MSSB has justified rates that in many cases are lower than, and benefits that in some cases are inferior to, those in the public school board

system. They have attempted to justify it because they have not received full funding. Since full funding did proceed, we feel there is no longer any justification for the MSSB maintaining its wages and some of its benefits at lower levels.

We are not in a position here to negotiate the collective agreements that exist with the two CUPE locals in the MSSB, but we feel, as has been said in some other places, that money should be made available to the separate school boards, and specifically the MSSB in this case, so that superior rates should apply to all employees immediately.

If that kind of thing does not come into being, we will have two possible situations, both of which we feel are unfair to one group or another of employees.

If we have, say, a systems analyst—I am not even sure whether that is a possibility, but let us say a systems analyst—who transfers and makes \$10,000 more, that employee’s wages, according to the bill now, would be frozen at the higher rate for a year. We do not know what happens after that. We have every reason to think they might very well drop after that to the lower rate, which could be \$10,000, but the bill does not clearly spell that out. It says that for one year it is frozen; it is red-circled.

That is one possibility that could exist, and we do not feel people who are displaced through no fault of their own should be made to suffer in that way.

Similarly, our members in the MSSB would have a hard time accepting a situation where they are earning significantly less than someone who has just transferred in. The only way we can see to deal with this situation, which is essentially a situation where two or more employees are doing equal work, and certainly work of equal value, is to have the superior rates apply. If full funding is now available, the MSSB should have the funds available to move to that.

8 p.m.

There are a couple of other things we would like to highlight from our earlier brief and from the Ontario division’s briefs from last February and from July.

One point is the issue of seniority. We feel very strongly about the fact that our members’ right to be able to enact their seniority is not spelled out and is not clearly protected in the bill. It is true that if an employee is displaced and is transferred into the MSSB, for instance, then his seniority becomes operative in wages, benefits and future promotions. But the bill does not

specify that in the displacement process itself seniority shall be the determining factor.

This may or may not be a concern in the same way for teaching staff; it is certainly a concern for nonteaching staff. It is perhaps the protection about which CUPE members in school boards feel the most strongly, and it is the most important protection to them.

We feel the legislation should spell out clearly that if any displacement is to take place, seniority shall be the determining factor in doing it, because it does have a much more profound effect on our members than it does on teaching staff. We refer you in particular to the appendix at the end, points 7 and 9. Point 7 deals with coterminous board seniority, and point 9, which is dealt with more fully, deals with the continuation of seniority.

The other point we would like to bring to your attention again is our concern about human rights. When Mr. Clifford from the Ministry of Education spoke to our conference on the weekend, he said a legal precedent exists in Saskatchewan—I believe it is with the Saskatoon Board of Education, but I could stand corrected on that—in that there has been a legal ruling that separate school boards cannot discriminate on the basis of religion for nonteaching staff.

We know the bill says there will be no discrimination on the basis of creed for any staff. We appreciate that. However, we have a situation we would like to bring to your attention, a very real situation today in the Metropolitan Separate School Board. I will throw this over to Jan Rowan from Local 1328; she can explain the real-life situation that exists regarding discrimination on the basis of religion.

Mrs. Rowan: You are good at throwing hot potatoes, Judy.

There is discrimination; it actually does exist in our board. I have helped negotiate at least the last 10 collective agreements, and in every one of those we tried to insert language that said the board would not discriminate on the grounds of religion. We have never been successful in doing that, because the board has always maintained it has the right to discriminate on the grounds of religion.

At present, if you are not a Roman Catholic, you are not allowed to work in a school. You may work at the education centre, but you may not work in a school. That is a fact. I do know of a couple of secretaries who have been with the board for a long time and who are not Catholic, but if a non-Catholic secretary working in the administrative offices wanted to transfer to a

school, that person would not be allowed to do so.

Ms. Darcy: To clarify it, the reason there are people now who are not Catholic is that this was not necessarily the policy in the past, but it is definitely the present policy that is in effect, and the MSSB is not willing to change it of its own accord; that is, in collective bargaining it is not willing to change it. Consequently, we feel we must reiterate what we said in our brief earlier and what the Ontario division of CUPE said earlier in its two submissions, that the no-discrimination clause that exists in the bill should be widened.

You will notice that on page 17 of our brief, under point 5, we thought at first we might not have to reiterate that, because there is something in the bill dealing with no discrimination. However, in the light of the situation that exists in the MSSB, we feel it is very important that language be included in the bill that covers discrimination on various grounds. I will not read through them, because I am sure you are familiar with them, but there is something like 15 grounds on which we feel discrimination should not be allowed to take place.

I will stop there and see if any of my committee members have anything to add before we throw the ball back to you.

Mr. Messenger: On page 11 a significant number of people have been omitted.

Cafeteria workers in Local 134, of whom there are 140 at the moment, are almost exclusively in high schools, which are the schools that will be affected. Before they can be designated to be transferred to the separate system, in which there are no jobs for them anyway, there is a process under the separate agreement that determines the number of hours these people will work. As the traffic diminishes, as it surely will with the movement of students out of the high schools, the hours of these workers will be reduced to a minimum of three. As a result, we will be dealing with a situation where, if there were positions in the separate board to which they could go, they would be transferred there on the basis of three hours per day, when they may have been working six before the impact of funding was felt.

Another group not listed here in Local 134, with which I am still associated, is maintenance helpers, of whom there are approximately 70 full-time people. A large number of these are attached to tradespeople and receive a premium rate for their skills. There are no equivalent positions in the separate board.

In addition, in the maintenance helpers classification there are a significant number who are occasionals but who return every year and have accumulated seniority. Their expectation is that if vacancies occur they will become full-time. I suggest to you their chances of ever doing that, if in this case the Toronto board is reducing staff, are pretty well nil.

Mr. Reville: It is helpful to hear the concerns of nonteaching staff. We have certainly heard the concerns of teachers at length.

You too must have been suffering from the effects of declining enrolments over the past few years in Metro. I wonder if there is anything you can tell us about the effects of transfer of students this year from the public system to the separate system. Have there already been layoffs?

Mr. Messenger: No, because the board with which I am most familiar, the Toronto board, as is the case with others will not have final figures on enrolment until the end of this month. It is anticipated that in the Toronto system the movement will be 100 or less; they projected 165 for the first year.

Mr. Reville: Has your union gone through an exercise of trying to estimate the loss of students in the public system and therefore the possible impact on its members?

Mr. Messenger: No.

Mr. Reville: Are the data just too unattainable?

Mr. Messenger: There has been no real consultation on this subject between us and the board as units. The opening of our brief seems to point the blame at the boards. I am not in entire agreement with the brief. The whole subject is so vague, woolly and confusing that the respective boards might not know what to address in consultation with us if we made application for it.

Mr. Calvert: I want to go back to a point that was raised in the brief. There is concern on the part of many of our locals that they are not receiving information from their boards, particularly estimates and other information that is being sent to the planning and implementation commission. What they are receiving is very much on an ad hoc basis. One of the directors may decide we ought to know something or other and informs our local president of whatever that is, but it is not done in any kind of systematic way. Obviously, we do not have the resources to do the kind of survey of enrolment and so on that would be necessary to make our own estimates.

Because we are not being consulted adequately and not getting this information, and primarily

because the planning and implementation commission perhaps has not been quite direct and clear enough and said, "Look, these are things the nonteaching staff should know about; you should make sure they are given this information and all the certified bargaining units receive information on whatever the subjects are," the boards may not have known what to share with us or, in the confusion of so many issues, have just neglected it.

It is a problem for us. I take your point about making estimates, but in the absence of information from the boards and from the commission it is very hard for us to do that.

8:10 p.m.

Mr. Reville: The situation surely has been exacerbated in your situation because six of your boards have declined to be involved in the process.

Ms. Darcy: We speak for the unions, not for the boards.

Mr. Reville: Indeed, and perhaps you are receiving the consequences of what the boards have done.

In terms of your Ontario organization, have you been in consultation with them about the effects in other parts of the province?

Mr. Calvert: Yes, we have.

Mr. Reville: Are they experiencing the same kind of problem, that they are somehow left outside the consultation process?

Mr. Calvert: Absolutely. We had our school board conference last weekend, with delegates from locals all over the province, both public and separate. It is fair to say the consensus among the delegates was that they were not receiving the information they needed to deal with the transfer process or other aspects of the impact of full funding. They were simply not getting information from the boards.

Mr. Reville: Can you tell me whether the contracting-out experience is different across the province? Is it more prevalent in some parts of the province than in others?

Mr. Calvert: It is a patchwork quilt. In some areas it is a serious problem and in others it is not, depending on the policies of individual separate boards.

Mr. Gillies: I must confess to being somewhat taken aback by the allegation that a board or boards are discriminating against nonteaching staff in terms of religion. I will be honest with you, I cannot imagine—we have heard arguments, I suppose, as to why that may occur in the

teaching staff; they are not arguments, I may add, that some of us particularly buy. You spoke to it specifically; can you tell us whether this is the case throughout Metro? Is there a specific board within Metro where this is a problem?

Mrs. Rowan: There is only one separate school board in Metro, and that is the Metropolitan Separate School Board. I represent the clerical staff there—I do not have a copy of the caretaking contract with me, but I do have a copy of the two collective agreements in my group—and the language definitely does not include religion. I will read it to you:

“There shall be no discrimination by the board or the union or the local union or any employee against any employee because of membership or nonmembership in any lawful union or lawful activity therein or because of his race, colour, sex, nationality, ancestry, place of origin or political affiliation.”

It is that last sentence where we have tried to add the words “and religion” on many occasions. As a matter of fact, it was sort of a standing joke, “Here comes the old religion bit again.” We always put it on the bargaining table and it always came off. We have never been able to do it. The language is exactly the same for the teacher aides.

Mr. Gillies: That is the wording of the contract. In practical terms, in actuality—

Mrs. Rowan: It is done. It is actually done.

Mr. Gillies: It is actually done, and you could substantiate for the committee statistically that non-Catholics are not being hired in these capacities by the schools?

Mrs. Rowan: Yes, I could. A non-Catholic may not be a school secretary or a teacher aide. As I said, in the past we have had a few who had been with the board for quite a while, but I do know of instances where secretaries in the education centre who were not Catholic wanted to transfer out to a school and they are not allowed to.

Mr. Gillies: What about nonclerical staff, such as custodial staff?

Mrs. Rowan: I do not have a copy of their collective agreement, but the president of the custodial staff is sitting in the audience. He could answer that question for you.

Mr. Gillies: Could you come forward to a microphone, sir, and be recorded?

The Vice-Chairman: Could you identify yourself?

Mr. Mele: I am Luigi Mele. I am the president of Local 1280 of the Canadian Union of

Public Employees. Personally, I have never been through what Jan Rowan has been through, so I cannot really say that applies at my local.

Mr. Gillies: What about the wording of your contract? Is it similar to the one your colleague told us about?

Mr. Mele: No, it is not.

Mr. Gillies: Thank you. I do not know how other members of the committee feel, but I would be most appreciative if CUPE could supply some documentation to the committee and perhaps some backup material on this. I must confess to being taken somewhat aback. It seems to me to fly in the face of our own Human Rights Code. Where should that be enforced more rigorously than in a provincially funded organization such as a system of education? I would certainly like to hear more about that.

Mr. Reville: To broaden this inquiry somewhat, are nonteaching staff who are Catholic required to provide the customary pastoral reference?

Mrs. Rowan: No, we are not, except for teacher's aides. Teacher's aides are required to.

Mr. Reville: Teacher's aides provide pastoral reference, but not plumbers.

Mrs. Rowan: Not the clerical-technical staff.

Mr. Epp: What about secretaries?

Mrs. Rowan: No, secretaries are not required to provide it.

Mr. Epp: I want to get a clarification of the comment by Mr. Clifford that a precedent was set in Saskatchewan whereby we could not have discrimination on the basis of religion. I do not know who can help me on this, but I do not know whether the Saskatchewan Human Rights Code could set a precedent for Ontario. I thought they had their own human rights code and we in Ontario had our own code, unless there is a federal one that applies to federal employees.

As far as legal jargon is concerned, I am not sure, and maybe somebody can help me, how a provincial precedent there can be a precedent for Ontario under two different human rights codes for the provinces. If we are using a precedent from there, can it actually be used in law here? Can somebody help me?

Mr. Gillies: I am not an expert in that area, but I do not think so.

The Vice-Chairman: This matter has been raised in committee and we are going to get the decision from Saskatchewan.

Ms. Darcy: We do not know the details, but when Mr. Clifford raised it, he indicated it set a

precedent. I do not know; you may very well be right and maybe it does not set a precedent, but he did say to us by way of assurance to our members who have this concern that it set a precedent. That is all we can say about it. We have a sense it went through the legal process and went to a higher court, but I do not know the details.

Mr. Epp: Perhaps we can clarify the matter through the ministry.

Mr. G. I. Miller: The bill says of the planning and implementation commission in subsection 136s(5), "The commission shall prepare and issue guidelines that shall govern the designation by public boards of persons on supervisory officers staffs, teaching staffs and other staffs whose services will not be required by the public boards consequent upon the election of Roman Catholic school boards to perform the duties of secondary school boards."

Is it not the function of that commission to set down the guidelines and resolve some of the disputes by mediation? Has that been attempted and is it not working? Otherwise, they can bring it back to the minister through this commission, which, as I read it, was really set up to protect those workers.

8:20 p.m.

Ms. Darcy: Our feeling about that is that most of the things we are referring to are things we feel should be enshrined in legislation, so if there is a dispute, our protections are very clearly spelled out with regard to discrimination on the basis of religion or any of the other things we are talking about. What we have raised with you are things we think are not sufficiently covered in the legislation.

Mr. G. I. Miller: But there is a vehicle within the legislation to deal with it, which should clearly be used by the employees. I wonder if you have explored that route? I guess that is the question.

Mr. Calvert: May I make a partial answer to that? One of the points raised in the brief concerning the issue of contracting out was that a letter was written from CUPE to the planning and implementation commission expressing its concern over the situation regarding the school transfer from Etobicoke to the Metropolitan Separate School Board. I am not conversant with the most recent developments and perhaps the local president could help out as well, but my understanding is the commission has not done anything about it and this letter was sent about two months ago. It was something like that.

Now, as far as we understand, the school is staffed with contract employees.

The commission may have authority to deal with some of these help out as well, but my understanding is the commission has not done anything about it and this letter was sent about two months ago. It was something like that. Now, as far as we understand, the school is staffed with contract employees.

The commission may have authority to deal with some of these problems, but it is for this kind of reason that we want things enshrined in the legislation. We do not want to leave it up to a commission, at some point down the road, to make a decision on this which affects us adversely and from which we have no appeal procedure. If it is in the legislation, our members have these rights and it is very clear.

Mr. Gillies: We have established the language of the contract with regard to its failure to refer to religion. I hope you will undertake to provide more information to us. To the best of your knowledge, are nonteaching staff, applying for positions with the separate board, asked their religion?

Ms. Darcy: Yes.

Mr. Gillies: I look forward to whatever you can provide because, quite independent of Bill 30, this seems to fly in the face of the Ontario Human Rights Code and I would be most interested to see anything you can provide on this.

Ms. Darcy: We have a teacher's aide here from the Metropolitan Separate School Board.

Interjection: No, with the Metropolitan Toronto School Board.

Ms. Darcy: Sorry, the Metropolitan Toronto School Board.

The Vice-Chairman: Perhaps the best way to proceed, since Mr. Gillies has requested information, is for you to supply us with an application form or any of the evidence he has requested. That would be helpful. Perhaps there is a way of differentiating between teaching-aide staff and other staff associated with the schools, that would be helpful as well, since there might be a parallel between a teaching aide and a teacher. There would not be any parallels with other support staff.

Ms. Darcy: We will do that.

Mr. Gillies: With that undertaking, I will leave it at that.

Mr. Allen: It is good to have the CUPE representatives back before us again. We had a

good session with the provincial representatives and the city reps have an even more extreme set of problems than the provincial organization. As Mr. Reville has said, they are in a set of boards which have not moved with the planning and implementation commission and with the whole process. They have not, therefore, gathered the information that might be passed on to you.

First, with regard to consultation, I certainly agree with your point. I think you should be in the chain of communication. It ought to happen naturally and automatically and ought to be required. That should just be happening. Have you been in regular contact, for example, with the Ontario Secondary School Teachers' Federation in order to have access to their information? They have a systematic information-gathering process under way and a large bank of information about individual school situations and individual board situations. If you are not in contact, that could be a very good interim source of information until the rest of this gets sorted out.

Mr. Calvert: We have communicated with all of the teachers' federations, the Ontario Secondary School Teachers' Federation, various other public school teachers' federations and the Ontario English Catholic Teachers' Association, to gain information about what they understand about the process.

I would say that our communications are somewhat situation-specific. It is not really organized in a systematic manner, it depends on the problems that arise from time to time, so I cannot say to you we have total access and know everything that is going into their data bank. That is not true. We do not. If we have some problems occasionally, we contact them, as we might the other teacher's federations, but it is very much on an ad hoc basis.

Mr. Allen: Yes, I sense that. I have asked the question from time to time of local OSSTF groups appearing before us, in London or elsewhere, to see if they were in contact with you for various reasons, and the answer was generally, "No, we have not been." I tried to prod them a little bit to get it moving, but obviously that should be happening.

With regard to the contracting-out argument, I think it is totally convincing. I hope the legislation would find a way, at least for the 10 years, to insist that if you are going to play this game it has to be on the level. To use the old arguments in a new situation, that contracting out is necessary for economy reasons in the one system, just does not wash.

By asking questions recently, we have found there is a lot of it going on in every board system. It is a real concern because you know the long-run implications of that pattern of employee association.

Could you enlighten me a little bit more about the status of part-time workers whom you have organized in the school system? This afternoon, we got into a situation with regard to teachers; for example, probationary teachers potentially envisaged as designated teachers, subject to the protections the bill will provide. This raises a fundamental question because probationary teachers are not permanent teachers and the protections are permanent, as though one were a permanent staff person.

You must have a range of part-time workers, some of whom are permanent part-time in a sense and others who are really part-time part-time. Can you help us out with a way we can get at that in the legislation, so as to provide protections where they are due, and how we might avoid the difficult situation of having to build in personnel to whom perhaps no board would ever want to give those longer-term protections, or could?

Mr. Paton: In Local 1749, in York, which is my sister local, they have cafeteria supervisors and community liaison officers. When I say they are part-time, they are usually 10-month people. They will come into the schools for two or three hours a day to supervise the cafeterias. The community liaison officers are usually 10-month people who deal with the community. Both groups are unionized. The concern coming out of Local 1749 is, if the jobs are not made available with the separate school board, then what happens to them? Are they going to go in there for one hour or two hours? There are no community liaison officers in the Metro separate system. Again, their worry is about what happens to them.

Mr. Allen: So your 10-month cafeteria workers are on strictly a 10-month short-term contract?

Mr. Paton: Yes. They are laid off in June, and most of them are rehired in September, but it is not guaranteed that they will be rehired in September.

Mr. Allen: If one builds in a designated protection for those people, presumably it would be on the same terms as the employment with the previous employer, with the uncertainty of re-employment and everything that implies. Is that what you are suggesting?

8:30 p.m.

Mr. Kirkby: I think what was troubling us, or the point I was trying to make a little earlier, is that with the part-time teacher's aides or other part-time employees, if they are put on the designated list and are subsequently laid off and are picked up by the separate school board in the same area, they may be going into a work situation where there is no bargaining unit. That is different from the situation in which a teacher finds himself or herself. Teachers in both the separate and public school systems are organized wherever they go. They can move from one bargaining unit to another and still take with them all the protection and the rights that certification gives them.

Part-time workers have now been decertified. They do not have those rights any longer. As has already been pointed out to us tonight, some school boards definitely discriminate on the basis of religion and so on. I have looked at hundreds of collective agreements and they all have clauses prohibiting discrimination on the basis of creed. Collective agreements are in force in all the public boards, as far as that goes.

We have deep concern about what is going to happen if a person losing his or her job as a teacher's aide moves to a separate school. They have the right to discriminate on this basis and there is no protection of a bargaining unit. I do not pretend to have an immediate panacea that is going to solve the problem, but we pose the question to the committee for some consideration in bringing about protection for these people.

Mr. Allen: I think the concern is genuine and something needs to be done about it. The question concerns the grounds on which one does this and how. If you are a part-time employee with a short-term contract, there is an automatic point at which a succeeding employer can bump you out using all sorts of hidden reasons. The problem is how to be protected against that where there is no bargaining unit, even if the bill contains exemptions from the application of discriminatory hiring provisions.

Ms. Darcy: We racked our brains on this too. We were bringing this problem to your attention, and we were trying to come up with possible solutions. We came up with two. The first was that the definition of "employee" or "displaced employee" in the legislation should include part-time employees. Then anything that applies to full-time displaced employees should also apply to part-time displaced employees.

The other thing was that any provisions that exist in the collective agreement from which the part-time employee is being displaced should

continue to apply. For instance, there are several different ways of calculating seniority. Sometimes it is calculated on an hourly basis, which is then prorated with full-time days. At other times it is calculated on years of service and that kind of thing. So those sorts of provisions should continue. Those were the only two very specific things we could come up with for you.

Mr. Allen: I would like to ask you a question we have asked of the Ontario Secondary School Teachers' Federation representatives about teachers transferring over to the separate system. Is it a workable arrangement to have OSSTF membership follow the teacher into the new jurisdiction? There would be some real problems with that where there is another bargaining agent in the system—namely the Ontario English Catholic Teachers' Association—but you are talking about cases where workers would transfer into situations where there is no bargaining agent for them.

Ms. Darcy: Exactly.

Mr. Allen: Would it be any problem for you if we at least contemplated a provision in the bill which would provide for CUPE representation for them? Would it be a problem if CUPE representation followed all designated workers who are in that nonprotected situation in the new system?

Ms. Darcy: We discussed that. We thought it would be very nice.

Mr. Allen: You thought that was a neat idea.

Ms. Darcy: It would be nice if there were something directing the unionization of all workers in all school boards in the province. If you feel you can consider that, we would not object.

Mr. Allen: I doubt if any one of us could go on a wholesale organizing binge, but we might be able to work something into the bill.

Ms. Darcy: Province-wide voluntary recognition.

Mr. Allen: That is worth thinking about, certainly.

The last point I want to make is that the Ontario application of the Regina judgement with regard to nonteaching personnel could conceivably be complicated by the specific exemption in the Ontario Human Rights Code. It does say that notwithstanding the provisions of this code, the Catholic schools may hire, on a selective basis, principally Roman Catholics to staff their system. It does not specify teachers; it simply says those boards may do that. I would suspect it

would take almost a court case to get that challenged.

As you know, the legislation at least provides for exemptions from that exemption for the 10-year period of Bill 30. As far as transferees of your staff are concerned, I would read it that they would be protected for those 10 years. However, clearly something more satisfactory, along the lines of the Regina judgement, would be necessary to try to establish that for your workers in Ontario.

Mrs. Rowan: That would present a problem to the members I represent. If under this legislation a non-Catholic secretary from a public board could get a job in a Catholic school and a non-Catholic secretary working in our education centre who wanted to go into a school was not allowed to because he or she was an employee of the separate school board, that would be very difficult for me to live with.

Mr. Allen: It is difficult to live with. It is one of those anomalies that this whole restructuring is creating in a number of respects. It is quite clear, for example, that a non-Catholic teacher moving from a public board into the separate system would end up having more protections on discrimination on lifestyle and so on than would a Catholic teacher in his own separate system.

Some strange things are going to happen until one gets rid of the implications of the Ontario Human Rights Code exemption, let us say, if that is the route to follow to eliminate that pattern.

Mr. Gillies: Further to your point, though, it would bother me if under Bill 30 a secretary, a custodian or anyone else had more right to transfer and obtain employment than somebody seeking employment with the separate elementary panel, which is already 100 per cent publicly funded. That would bother me.

The Vice-Chairman: We are going to try to keep to the speakers' list, and we will eventually get to this debate when we get to clause-by-clause consideration.

Mr. Jackson: I want to say something very quickly. Did I understand correctly that you guesstimate there are about 150 employees transferring in your jurisdiction?

Mr. Messinger: I mentioned 165 as the number of students the Toronto board has projected would be moving as a result of the extension of funding this September.

Mr. Jackson: Given those numbers, if they are true, do you have any idea how many employees we are talking about transferring in the first year?

Ms. Darcy: No.

Mr. Paton: All I have is what I got from a conversation with my director. Last Friday morning, when I asked him what he thought the movement would be, he said it was too early to tell. I also asked what he thought the layoff would be for this year, if there were a layoff, and he said he thought that York, with its retirements, could just put the people back into the system. That was as of last Friday morning, but as he said, it is too hard at the end of first week of school to forecast whether there was any movement.

Mr. Jackson: Perhaps we can pursue the issue of grid disparity; it intrigued me, and I want to pursue it very quickly.

Given that seniority is going to be the benchmark for designating your employees, would it be fair to say that most of the newest ones—"last hired, first designated" is essentially the new catch-phrase for this legislation—would be close to the floor of any grid, on average, if we were to compare the two grids in terms of classifying an employee and the pay he is being paid?

You have given us examples of where the ceilings are at great variance. However, based on my knowledge of many collective agreements I have negotiated for school boards in the province, my understanding is that the floors are not necessarily that far apart.

8:40 p.m.

Mr. Calvert: As my brother here just pointed out, there are bumping rights in all the collective agreements in the public boards. The person who is displaced according to seniority would be the last person who was hired in that classification. Were you asking me about the application of seniority?

Mr. Jackson: I understand that. I am talking about the cases in which an employee will transfer. It is reasonable to believe very few of them are going to be at the top of their classification, with many years of experience on whatever grid they are on.

Mr. Calvert: In some classifications there is a probationary period; then you reach what is called the job rate and that is it. Normally, that is the case with caretaking and maintenance positions and so on.

In the clerical sector, you tend to have a grid, which may involve progress over, say, five years. With each step you receive an increment and your income goes up. The pattern varies according to the kind of work you do or the job

classification you are in. In some cases, after six months that is your range for life unless you are promoted into another classification. In other cases, it may be four or five years before you reach the top rate in a classification. There is a disparity among the different classifications.

Mr. Jackson: As a legislator, I am getting my mind around this issue of creating a comparable grid with the coterminous board, but in my view it would not be all that workable if the employees who were transferring were all at the bottom end of the grid rather than at the top. As I understand it—

Ms. Darcy: The grid really varies and some of them are—

Mr. Jackson: That is what I am coming to with my next point, which is the issue of red-circling. As legislators, we could look at the concept of creating grid placement, instead of red-circling, so people can progress along at the rate at which they were paid at the public board. Your brief clearly shows there is a \$5,000 disparity in some cases.

Would you consider it a major breakthrough if we could put in the legislation some grid restructuring without dealing with the issue of benefits—you know the problems we have in trying to legislate protection for benefits in the separate system for one employee who may transfer because he is designated; money is a far easier thing to administer—so there would not be a loss or step back in terms of salaries but there might be a step back in some benefits?

You know why I asked the question: one is possible and the other is highly improbable. I just want to know whether you would figure it was a major breakthrough if we could do the one but not the other.

Mr. Calvert: You are talking about a salary "grid." We do not know what that looks like. Then you talk about benefits, which is a different issue. That is why I think Ms. Darcy and I were looking at one another.

I would not necessarily agree with your comment that it would be impossible to deal with most benefits. I think some arrangement could be made. With regard to a salary grid, when I think about all the classifications and the different patterns that exist around the province in different school boards, it is quite a difficult job to see being done in a piece of legislation that covers people provincially.

You might have to clarify more specifically what you mean by some sort of grid, and how you would do that, before we could say. It is not clear

in my mind what you mean; I guess that is what I am saying.

Mr. Jackson: It is a response to the question of red-circling, which is the form of stalling as a person maintains the same pay until the rest of the workers in his unit catch up. When I talk about grid restructuring, I am talking about the same increase being applied so that if you make a lateral transfer to the separate system, you start getting the same increases as the bargaining unit of which you were a member.

That would require some grid restructuring or some new classifications to fit you in. It cannot be a classification plus \$5,000. The collective agreement cannot be written that way. You have to create the classification. At least that has been my experience in negotiating with CUPE, various other nonteaching units and school boards. That was my suggestion.

If we were to put in legislation a classification and protection so you could transfer at your same salary, would that in itself be a major breakthrough on this issue?

Ms. Darcy: That would obviously be a major breakthrough. I am sure our members would like that a lot. That is not to say we are in a position of collective bargaining here. I am sure our members will want to bargain collectively to be able to do the same thing regarding benefits. I cannot say to you that there is any sort of commitment on behalf of school board members who may be displaced to accept one and not the other.

Obviously our members feel, and we feel, that they have the right to continue to enjoy the wages and benefits they currently enjoy, and we would continue to press for that. This is not to say we would not take that.

Mr. Messenger: As a starting position.

Mr. Kirkby: On the question of benefits, I was interested in what Mr. Jackson had to say about its being difficult to work with the benefits side of it. It does not seem very difficult in my mind, for example, in the case of a designated employee who was leaving a public board and moving to a separate board and who had had a dental plan in the public board but would not have one in the separate school board to which he was moving. We are saying we want him to continue his dental plan. He might have children and a family who need the dental plan; he might even be well into the advanced stages of having some orthodontic work done for his teen-age daughter, and all of a sudden he finds himself without a dental plan.

We see this as an impossible situation for him to bear, but we see nothing wrong with the public school board continuing to pay the premium on the dental plan for the transferred employee and billing the separate school board for that premium. This can be done; it is not an impossible task. We would not want to see the commission button its mind down and believe it is an impossible task when we think it is quite possible to work out a method of doing it.

The Vice-Chairman: Thank you very much for a very comprehensive and specific brief. It does not have all the answers, but if you can come up with answers to any of the questions you have raised in a couple of those areas, especially concerning the part-time workers and the nonunionized section, where some of your employees will be transferring, or if you have any suggestions on any specific amendments, please feel free to forward them to us.

Ms. Darcy: Thank you very much.

The Vice-Chairman: I might point out to everybody here that the score of the baseball game as of 8:25 p.m. was 0-0.

I would ask that we try to exchange delegations as quickly as possible and with as little disruption as possible, because we do have other groups coming on. We would appreciate it.

Before the CUPE people leave, probably some of you are as interested as we are. The latest score is 2-0 for the Blue Jays.

If you want to proceed, Mr. Amber, welcome to the committee.

8:50 p.m.

MARTIN AMBER

Mr. Amber: I have great respect for Mr. Moscoe, who is to come on next. He has been very courteous to me in the past in some of our discussions, and I will try to repay him for that courtesy by being as brief as I can.

However, I apologize to the people who heard an announcement that I would be on at about 8 p.m. Because the last group of deputants represented a huge number of people whose jobs are in a transitional period, you should understand that the brief amount of time they were here was really brief compared with all the aspects of their deputation.

My name is Martin Amber. I appear only for myself, and I am pleased to hear today that individuals add special dimensions to these hearings. I will try to cover the past, the present and the future and maybe add a fifth dimension to this talk.

By coincidence, today's Phil Donahue program dealt with problems that are very similar to what we are facing here; it dealt with the teacher/pupil situation below the border, where their dilemma is similar to ours. In Los Angeles, they are literally recruiting people from the streets because of the shortage of teachers to teach in schools. In Europe—West Germany, for example—because of the large number of surplus teachers, they are finding jobs in strange places such as Georgia. Of course, the teachers being recruited in Los Angeles do not have the degrees and the qualifications that teachers should have.

I am going to ask you to be patient and bear with me because from time to time part of my presentation will, as some of your members might know, seem to stray from the original topic. However, it is germane because of the very reason that you are sitting here. While it may be considered as a hypothesis, I ask you to consider it in reality, and as I deal with the parameters and the ramifications of how we came here, possibly those people who think about these things will realize the truth of what I say.

The last deputation confirmed the dichotomy that exists by bringing up this issue at this time. I will try to make it as chronologically accurate as possible. I want to bring you back to some deputants who said, "Why did Mr. Davis bring this issue up at this time?" You will remember that deputants said, "Why did this come about?" I will attempt to answer that as one of the things in the past.

Mr. Davis, in my opinion, brought this up as a smokescreen, as a diversion to something else of great importance that is happening now. I came when I heard that people were wondering. You will remember a headline not too long ago—I do not really deal in this type of thing; it is only to confirm what I am saying because it is here in quite large print—that said, in effect: "The Premier fears this will be a political football." That is precisely what it was meant to be, and that is precisely what it is.

This was brought up because his last announcement prior to that was the intention—I ask your indulgence in this—to build on the railway lands, next to the CN Tower, a very expensive domed stadium at a cost of more than \$150 million, funded by \$30 million from the Ontario government and by \$30 million in taxpayers' money from Metro. That also, sooner or later, had to be supplemented by a \$20-billion infrastructure—Alderman Moscoe was quite concerned at the time that it would be considerably under that—to supplement the transportation to

and from that same stadium located in the very heart of the city of Toronto.

A mayor who had a great following in Buffalo has lost the primary by about 85 per cent because he pushed a stadium in Buffalo. He is going to lose on that issue. All the people who are sitting at this table and all the people within the sound of my voice should be aware that people do not want to pay for \$25-million athletes, who have to supplement their meagre abilities by having peddlars from all over the world follow them around with cocaine and other things such as that.

I am getting to the aspect of what the schools are teaching your children and students and the future of this and every other country. That is the main thing, because you say deputants are concerned ad nauseam with the quality of education, for your children and grandchildren. I remember one of your number saying that in the future he would like to have his grandson on his knee and to be able to say things of great value to him.

One of the things I am sure you do not want to say is that you were instrumental in having your children look up to people who are paid tremendous salaries to shovel balls and pucks around. Howard Cosell pointed out on a very interesting program—also on Phil Donahue—why he quit, why he did not even want to bother with broadcasting these sports events and how stupid it was to put 70,000 people in a huge stadium. He thought that absolutely preposterous and he quit.

The horror stories brought out on that program should interest everybody. I am getting Jack Layton to get a copy of the transcript of that program. I hope every one of you gets a chance to see just what it is you are putting in this city, a city so different from others that people come from all over to live here, only to find leaders obsessed with greed. In spite of all the aspects that are so negative about it, they want to put it in this city. We wanted to come away from the New Yorks, the Chicagos and the Detroits to live here, only to find you are trying to make the same thing here.

The issue you are talking about is so important to what those who are growing up are to look up to. The other issue is being glorified—even by you, Mr. Chairman—in a con-job sort of way by this wondrous thing that is happening now, yet it is something that is as obscure to the values children should learn as is what professional athletes who are linked so closely to drugs have to do. That is a shame. My old values were on things such as prose; on things of value in music,

classical and otherwise; on the better things in life I think people were meant to appreciate, rather than the type of thing that has come about that we have digressed to.

I have quite a few things to say. One is, and the answer to the “why” is, you have a committee that is going to sit and may be sitting on these issues—the Darlington issue, the Ontario trade review issue, the PCB incinerator issue and others. Why was a committee such as this not called to have deputants such as myself, Mr. Moscoe and possibly the other gentleman who is here, to come to you as I am now, to speak not on Bill 30 but to speak and address the very important business of whether we should have a domed sports stadium anywhere in Metro Toronto?

9 p.m.

Why was that not done? The answer is quite clear. It was because a committee such as this so polarizes people, as this last group points out, so dichotomizes the whole aspect from one end to the other, as to so confound and confuse that you have heard Archbishop Garnsworthy, I think his name is, and other people come and sit here and realize they are being conned into something. They are saying things they do not want to say, to cover up, to smokescreen putting this stadium in the city.

I will make some remarks on Mr. Davis in the future and what is going to happen politically. This from Mr. Davis’s presentation: “We must affect our country as our parents, and if at any time we alienate our love or industry from doing it honour, we must respect, affect and teach the soul a matter of conscience and religion and not desire of rule or benefit.”

I also have a package of sodium chloride here. I will try to give one grain of it to each member to partake of with whatever explanations Mr. Davis is going to have when he comes on September 20. I do not mean to be facetious. I am quite sincere about what has happened and quite upset about what has happened. I am going to leave. I had some other things to bring up. For example, Mr. Davis is now sitting on the board of the Canadian Imperial Bank of Commerce as a director, so I am never going to have anything to do with the Canadian Imperial Bank of Commerce.

Yesterday I tried to help some vendors who, rather than go on welfare, would rather sell on the streets. It was the type of thing that had no representation. In an attempt to represent those people who were not there, Mr. Dennis Flynn contrived to have me not speak and even

pretended to call the police to remove me from the room, just because they did not want me to speak to that.

That is what our city has declined to, and I am glad that this committee has allowed me this brief presentation. I will leave you with a saying that is quite a cliché as far as this is concerned, and that is that the moving finger writes and having wit moves on, and neither all thy piety nor wit can change a single line nor all thy tears wash out a word of it. Thank you very much.

The Vice-Chairman: Thank you very much, Mr. Amber. The next presentation is from Ms. Rizzo and Ms. Augimeri. I am sure I have pronounced those names completely wrong.

Interjection: How about if we switch the program a little bit?

The Vice-Chairman: I thought we were, but I go by the agenda and the final person who is coming before us is Mayor Mel Lastman's best friend, Alderman Howard Moscoe.

ALDERMAN MOSCOE AND MS. RIZZO

Alderman Moscoe: Our presentation will not be as weighty as Mr. Amber's nor as detailed as that of the Canadian Union of Public Employees. We are here on one simple point. I am Howard Moscoe. I am the alderman for ward 4 in the city of North York. I share that ward with trustee Rizzo, who represents separate school electors, on the public school board, wards 4, 6, 7, 8, 9 and 11. Maria, would you care to start off?

We are here specifically on subsection 136i(3).

Ms. Rizzo: I am sorry to say that Maria Augimeri was unable to make it this evening, but she sends her regards to the members of the committee. I would like to clarify that I am not speaking as a representative of any association, group or board of education. I am, however, representing many of the concerns of my constituents, as well as my personal views as they relate specifically to subsection 136i(3): trustees representing separate school electors on public boards of education.

When full funding of separate schools is completed, it is my opinion that there will be no need for trustees representing separate school electors on public boards of education. However, in the meantime, I believe this position is being prematurely eliminated without taking some precautions to protect students who are attending public schools and will continue to do so in the next few years.

Recently the Minister of Education (Mr. Conway) announced a change to this section of

Bill 30 to extend the term of separate school representatives for a period of 13 months. Although I feel this is a more reasonable position than was initially introduced, as with most things in life, improvements can always be made.

In principle, I believe in representation by taxation, but I am particularly concerned that in this period of change, Roman Catholic students and parents will not have any direct representation.

It is my understanding that taxes currently paid to the public boards of education by separate school supporters will be diverted to the separate school board in the year that the coterminous separate school board of education opts to proceed with secondary school education. Consequently, the proposed legislation has some rationale to make the position of the separate school representative as obsolete as a dinosaur. I am aware that all trustee positions are based on tax assessments and not students, but I fear that commencing January 1986, no one will be accountable for those Roman Catholic students attending public secondary schools who, through no fault of their own, are caught in between.

I would like to elaborate further on this point and hope you will bear with me. I think you received a brief from the North York Board of Education this week and the statistics were also in there.

We have approximately 8,000 students, or 31 per cent of the secondary school student body in North York public schools, who are Roman Catholic. I believe many of these students have entered the public school system for the following reasons.

1. Parents could not afford to pay tuition fees for their children to attend Roman Catholic secondary schools.

2. The individual program needs of students could not be provided by the Roman Catholic secondary school.

3. Location and convenience.

4. A full range of options is available at public secondary schools that is not necessarily available at all Roman Catholic secondary schools.

At present there are Roman Catholic students in grades 9, 10, 11, 12 and 13 in the North York public schools I represent. It is my opinion that once students are established in a particular school and as they proceed with their secondary school education, few will choose to transfer to Roman Catholic secondary schools, particularly in their senior years and disrupt their programs of study. Consequently, a Roman Catholic student in grade 9 or 10 attending a public school this

year will not graduate for at least four or five years.

Bill 30 provides for the extension of one grade per year. However, some students will be lost in the shuffle with no representation during the period of transition.

Separate school taxpayers who have been assured a voice on the public board will no longer have any representation.

The trustees representing separate school electors, who will be elected on November 12, will no longer be there to represent them 13 months later, although many Roman Catholic students will still be attending public secondary schools. In fact, trustees who have not been elected by separate school supporters will be making decisions that will impact on these children's lives. I believe that trustees and all elected officials must be accountable to their constituents.

It is my understanding that approximately 40 per cent of separate school electors' educational tax dollars at present support the public secondary school system. Separate school taxpayers have contributed to the many facilities, programs and equipment in the public school system and, in my view, past money from separate school taxpayers must also be taken into consideration when dealing with this issue.

As I stated earlier, I understand the position of separate school representatives will be redundant once separate school funding is completed. So I am not here to request an indefinite extension of this position, but rather to suggest respectfully that trustees representing separate school electors be granted a full electoral term. In my view, a further extension is justified and fair during this period of change which is already quite confusing to the electorate.

In conclusion, I believe the separate school taxpayers who have contributed financially in the past to the public school system, but particularly the students who are enrolled in public secondary schools, deserve continued representation and accountability from those they elect.

I can appreciate the kinds of problems you have had to face as members of the committee, and the Canadian Union of Public Employees certainly brought that to light, when I think of the magnitude of the work that must follow the deliberations you must make.

I would like to thank the committee for allowing me the time to make this presentation this evening.

9:10 p.m.

Alderman Moscoe: Thank you. I am going to speak as a politician. Frankly, your timing, although not of your own making, is lousy. I think the minister's solution is equally unfair. I am speaking to you now as a politician, speaking to politicians, and I am a politician who does not have to worry about running for separate school election, nor do I have to worry about trustee Rizzo running against me; that is not my concern.

You know that when you prepare for an election you raise funds, are prepared to go into battle and expect to have a certain length of term—although with a minority government I know it can end any time.

Mr. Reville: Do not even say it.

Alderman Moscoe: At least for two years you are safe.

Ms. Rizzo has only one year, so she has to spend as much time and effort in fighting this next election as I do, and as much money, I dare say, and she expects to get one year out of it. I will at least have three years. Therefore, you have created a degree of uncertainty among separate school representatives across the province. It puts them on the edge of a very difficult decision: "Do I run for election; spend all that time, money and effort for a one-year term and then disappear, or switch to another position and run for something else?"

I want to tell you, the municipal election is eight weeks away and there are people hanging in out there not knowing which way to turn. I dare say some are considering suicide. Fortunately, Ms. Rizzo is a little more stable than that. So you really have created a problem. I guess I have one or two suggestions about how to solve it.

Notwithstanding the whole theory of where the funding goes—whether the kid follows the funding, whether the trustee represents the dollar or the kid; putting those issues aside—as a practical politician, I have to say you have two possible solutions. You can say to the existing separate school representatives, "We will give you one more year, but you do not have to run again; we will simply extend your term," which would be at least fair compensation for losing their jobs.

We understand the teachers are being taken care of. We understand the secretaries are being considered. Nobody is worrying about the job of the elected representatives or trustees.

Alternatively, you could change the wording in the bill to what I have suggested and say, "Notwithstanding any other provisions of this act, they terminate at the end of an electoral

term." It is a very simple change, but one that would be fair and just.

I know that, as politicians, we tend to philosophize a great deal about the dollar, the kid and everything else, but what it boils down to is that you have several hundred trustees across the province sitting on the edge about a decision, and it is unfair. It is unfair of the minister not to come out with a very clear statement within the next few days of exactly what is going to happen to separate school representatives.

As a matter of fact, I think the committee should come out with a clear statement. Notwithstanding the fact you are going to do your deliberations afterwards, you owe it to a lot of your fellow politicians, people who have served their communities well and put a lot of time, effort, money and energy into representing their constituents and their kids as well.

We are here to sort of issue a plea. It does not affect me personally, but it is an issue of fairness to a lot of your colleagues. What I am suggesting, what we are asking, is that you make a statement, as a committee, and not just the minister. I know it is very easy for people to say, "Well, that is the minister's responsibility." I, and I think other politicians in the province, would like the committee to make a determination on this issue and not wait until you get to clause-by-clause deliberation. Do it right away, because we have a municipal election to face in eight weeks.

I underscore that: eight weeks. Nominations open soon, and people are wondering what they are going to do. It is not only endemic to Metropolitan Toronto, it is everywhere in the province, and I am sure you have representation on this, but it has reached the point where it is critical. Thank you.

Ms. Rizzo: I am not sure if I have a friend or foe sometimes.

The Vice-Chairman: Could I ask a question? In your area, are there any separate school representatives who are considering not running? Are there any wards where there may be no candidates because of the uncertainty?

Ms. Rizzo: Yes. There are four separate school representatives on the North York Board of Education. One of them is not running for re-election to the position of trustee representing separate school electors.

Alderman Moscoe: I want to say to the Tories of this committee—they should be here, but I do not know whether they are—that the proposal the minister has presented will absolutely guarantee a New Democratic Party Toronto school board. The four separate school representatives are not

New Democrats; they are Conservatives. If political motivation is any question—

The Vice-Chairman: The Conservative members are not here to hear this.

Mr. Reycraft: I want to follow up on the response that one of the four separate school representatives was not going to be running. Was that because of the bill?

Ms. Rizzo: Yes.

Mr. Reycraft: The person would have run had this change not come about?

Ms. Rizzo: Absolutely.

Mr. Reycraft: Do you know if there are any other declared candidates in that ward?

Ms. Rizzo: I am one of the others who are not sure. Two others besides myself are not sure. However, I can assure you that one of them made the decision based on this bill.

Mr. Offer: On the other side, are you aware of any wards where there is a contest, where there is more than one running?

Ms. Rizzo: It is very early to say. Even the incumbents are not sure what they will be doing. I imagine it is even more difficult for people who may have considered or are still considering whether to run. I do not know.

Mr. Offer: Have you had any personal discussions that might give us a feel for that? Is there any feeling among the people you have talked to about whether they expect any riding to be contested?

Ms. Rizzo: I imagine most of them will be contested.

Mr. Reville: Ms. Rizzo, you represent separate school electors in a very large number of wards—six of them. How is that determined? Is it determined on the basis of the number of separate school electors throughout North York?

Ms. Rizzo: Yes. There are 521 polls in those six wards. However, it is not determined by population. In a poll there might be 35,000 or 40,000 people, with 20,000 separate school supporters and the rest public school supporters. The poll might cover a very large geographic area, but you are not talking about 40,000 people in one poll.

Alderman Moscoe: Further to that, the Education Act contains a formula that generates the number of separate school representatives; it is on the basis of the total Catholic population. North York is entitled to four, or possibly five in the coming year if our Catholic population continues to grow.

Mr. Reville: That is the total Catholic population, regardless of which system their children may be in?

Ms. Rizzo: No; separate school supporters specifically. There are public school supporters and separate school supporters. I represent only separate school supporters.

Mr. Reville: I understand that. I am trying to determine how it is decided how many separate school trustees there should be on the public board. Is it a population thing?

The Vice-Chairman: No; it is based on assessment ratio.

Mr. Reville: That is a different answer.

Ms. Rizzo: It is not based on the assessment.

The Vice-Chairman: That is what we have been told. That is how it is in my home community, and that is what the ministry people tell us.

Ms. Rizzo: There it is.

Alderman Moscoe: We stand to be corrected. I have not read the act for a number of years.

Ms. Rizzo: I thought it was the number of separate school people who were in those—

The Vice-Chairman: It goes on the philosophy that trustees do not necessarily represent students; they represent and protect assessment and therefore it is on assessment ratio.

Alderman Moscoe: But assessment does not elect them; people do.

Mr. Jackson: If I might clarify this, the total number of trustees in a given jurisdiction is determined by population.

The Vice-Chairman: No. In some areas it is; in some areas it is not.

Mr. Jackson: All right; in urban municipalities. However, once a total number is fixed, the ratio of separate trustees to nonseparate trustees is based on assessment. So we are both half right.

Ms. Rizzo: Thank you for the information.

9:20 p.m.

Mr. Reville: See how helpful this process is to us all? Your theory is that the separate representative on the public board should stay in place for at least three years so that the phasing can occur, and that allows the separate school elector to be represented throughout that process. Surely at the end of that process there will still be some Roman Catholic students in the public system.

Alderman Moscoe: But there will be no Roman Catholic students who have to be there because of lack of funds. That is the difference.

Mr. Reville: Mr. Moscoe, you have suggested an amendment. There is a typo, by the way, in your brief. I am looking frantically for subsection 361i(3). That should be subsection 136i(3).

Alderman Moscoe: Nobody is perfect. I do not pretend to be.

Mr. Reville: Least of all this committee.

Alderman Moscoe: Only my mayors were.

Mr. Reville: Given that the clause-by-clause exercise is not expected to happen in this committee for some time and that the Legislature will not be dealing with the bill for some time, what would you recommend we do to give effect to your amendment should the committee want to do so?

Alderman Moscoe: I recommend that each of the three political parties come up with a statement. If we have the support of two out of three of them, then we know which way the cause is going to go when the discussion occurs. Each party has an obligation to come up with a clear statement. You cannot say: "This is not our responsibility; it is the minister's responsibility." Trustees have a right to know, and if two of the parties state, "We are going to go in this direction," then presumably everyone will know.

Each party should come out with its position. That is fair. I am certainly expecting my party to come out with its position.

Mr. Reville: You have suggested the parties should come up with a statement, but do you have a request for this committee, since it is a three-party committee?

Alderman Moscoe: It would be nice if this committee did. We would accept it either way. All I am saying is, whatever you do, end the uncertainty.

Mr. Reville: But surely the minister's statement ended the uncertainty.

Alderman Moscoe: No, it did not. It created more uncertainty.

Mr. Reville: Did it not say 13 months?

Alderman Moscoe: Thirteen months. But then he has created a situation that is extremely unfair.

Mr. Reville: That is not uncertain. It may be unfair.

Alderman Moscoe: Yes, that is true. But even then I have heard some variations on it.

Ms. Rizzo: In fact, the minister's statement actually says "a minimum of 13 months," and you are supposed to sit there and interpret exactly what that means.

Mr. Reville: I do not think there is any mystery about how long the term will be, though.

Ms. Rizzo: "A minimum of 13 months." There is absolutely no mystery about that. I did say it is not as ludicrous a position as the one earlier, according to which you ran for election and then resigned a month later. It is obviously not that ludicrous, but in my opinion you are still unfair with respect to representation.

Mr. Reville: The level of ludicrousness is diminishing.

Ms. Rizzo: You have to separate here between Mr. Moscoe's pitch on being politicians and my concerns regarding students, separate school taxpayers and the students who will continue to be in the public school system for the next few years. You have to separate those clearly.

Alderman Moscoe: Ms. Rizzo is principled; I am a politician.

The Vice-Chairman: That is the difference between trustees and politicians.

Alderman Moscoe: But to answer your question—

Mr. Reville: There was some discussion before about whether a trustee is a politician. The chairman alleges he is.

Alderman Moscoe: The minister has created an uncertainty because his statement is not clear. It says, "a minimum of 13 months." Then on top of that, can you guarantee a member when this bill is going to come into effect?

Mr. Reville: Absolutely.

Alderman Moscoe: Yes, I am sure.

Mr. Reville: Let me put this proposition to you. It has been put to this committee by several public school trustees that the separate school representatives on public boards will increasingly have conflicts of interest as the implementation goes on. It was alleged to this committee that they would feel increasingly uncomfortable to have Ms. Rizzo and her colleagues sit there during their deliberations as they figure out what to do because of implementation.

Ms. Rizzo: The only conflict we have is the members who sit on the Metropolitan Toronto School Board who are elected by separate school supporters to sit specifically on that school board. If you want to talk about clear and utter conflict, you are talking about the Metro school board.

I am elected—as are all separate school representatives in the province, as I understand it—to sit specifically on the public board. My responsibility is very clear; I am to make that

system the best it can be for the kids in our schools. I am not a member of the separate school board. There is quite a bit of confusion in large areas: "What do you do? What is that position again? I am not sure." It is true.

However, there is absolutely no conflict for me in terms of my job in making the public school system the best it can be for those students in that system.

Mr. G. I. Miller: I had a little trouble determining what Mr. Moscoe's politics might be, but he made some fairly strong statements.

The presentation has brought out some interesting comments which I was not aware of before. At page 4, it is indicated that approximately 40 per cent of the separate school electorate's educational tax dollars currently support the public secondary school system. What does that amount to in the overall financing of the system, and how did you arrive at those figures?

Ms. Rizzo: It is my understanding that it is probably \$68 million in Metro. I do not know what it is across the province. I got these figures from a newspaper article which I should have quoted. If you would like the information, I could give it to you.

The Vice-Chairman: That figure had been given to us; it is \$71 million or \$72 million.

Mr. G. I. Miller: The other aspect is that the phasing-in over a three-year period does make some sense, at least to me; a three-year term would not be out of line. As far as the ministry is concerned, the minister did clarify that he extended it to the beginning of 1986. That is a very clear statement. Whether it could or should be adjusted for a full three-year term might be a recommendation this committee should give some consideration to. That information gives it more support.

Mr. Jackson: I wish my colleague Mr. Miller had been with us in Kingston and Ottawa when we first raised the issue of trustee representation. It is now surfacing again, even with the minister's clarification.

Mr. G. I. Miller: I was in Kingston.

Mr. Jackson: I know you were in Kingston; I apologize. In Ottawa, we had a meeting with the minister, and more clarity was brought to some of the problems inherent with trustee representation. I hope the minister will continue to have an open mind and pursue clarifying this issue.

I would like to address trustee representation. You asked if the political parties might set out a position. Our party did attempt to do that in a

limited fashion about three weeks ago. In particular, we asked the minister to examine not making any further calculations this fall which would change Catholic representation on public boards.

As you know, there is a process whereby the numbers can shift. In our opinion, that was a process whereby we could fix the number of Catholic trustees on boards. We did not feel a change in total representation was appropriate, given the significant shift in enrolment and taxation. That was the first issue we wished him to examine; apparently, that has not been looked into.

There will be some increases in trustee representations; that complicates what I am about to suggest as another position, which is to extend the current term of those separate school trustees who are elected in the province. I would appreciate some reaction from you on the first point about extending the current terms of those in place by legislation or ministerial order. That would avoid the process of an election. They were democratically elected, they are fully conversant with the system and they participated in the positions of the boards in making presentations to the planning and implementation commission.

9:30 p.m.

There is a third point I want to make and get a reaction from you on. If the minister were unwilling to consider those options, he might consider the notion of splitting assessment. I raise this because that is where the absolute necessity to transfer trustees occurs. The act refers to absolutely all of your assessment transferring.

It stands to reason that if we were to allow a separate school supporter to designate his taxes, elementary to the separate system and secondary to the public system, that would set in motion the need for separate school trustees on public boards. I would like to get a reaction on that issue. I will leave another one until after that.

Ms. Rizzo: I heard one, two and three, and I completely forgot the first one. I will deal with the second and third, and you can give me the first one again.

Regarding the second one, in principle—Mr. Moscoe indicated I was very principled—I believe in people being elected. My mandate as a trustee representing separate school electors is over as of November 30, 1985. I am saying, as a principled person, people have the right to elect the people they want for a further term. They

knew it was three years. It ends, and that is the end of it. If they want you, they elect you again.

The practical logistics of running a campaign that covers 521 polls and six wards would sway me to that to some degree, but it goes against my personal principles; I do not particularly want that to happen.

Alderman Moscoe: I would like to respond to that. I am not as principled as Ms. Rizzo. It sounds like a neat solution, but it creates a problem. You have to determine whether you are going to sit around for a year and not be a politician for two years following or whether you are going to jump. When you jump, you leave vacancies. Who fills the vacancies? Does the board appoint people who will fill those vacancies for one year? If so, is the democratic process being served?

Ms. Rizzo: The third issue you raised was that of splitting assessment. I understand the coterminous board will receive the dollars that separate school supporters are now paying to the public school system. That will happen as of January 1987, as opposed to January 1986, even though full funding to grade 11 will already have been—

Mr. Jackson: They will get the funds but not the assessment.

Ms. Rizzo: I assume you are saying the parents of the students will be able to decide where to put their taxes. If the child is attending a separate secondary school, they will pay separate school taxes. If he is going to a public secondary school, they can switch and pay public school taxes. Is that what you are saying? Or would they say half-and-half?

Mr. Jackson: That is not how the act puts it. In its present form, the act says it is all or nothing.

Ms. Rizzo: That is right.

Mr. Jackson: This committee has received input from delegations to consider a family being able to split. It would be the same way it is now, in other words, so you can pay separate elementary and public secondary.

Alderman Moscoe: I can hear the Catholic boards screaming.

Mr. Jackson: That is not the issue. The only way in this province to have Catholic representation on public boards is if Catholic taxpayers' money—assessment—is put into public school coffers. That is the principle. Earlier today, I asked a group of Canada-wide Catholic trustees whether there is any jurisdiction in this country where there is dual funding and a separate school representative on a public board, and they said

no. We would be doing something unique in that context. That is why I am pursuing it with you.

Alderman Moscoe: The whole situation is unique in any case. It would be nice if the bill were to come in at the beginning or the end of a term, but it will not. We have to assume some practical measures.

Ms. Rizzo: You can also assume there is another way of doing that. The dollars would not go there unless the students went to that program. What you have done is you have decided it will automatically happen in 1987 as opposed to the people who choose to send their children. It is now in the public school system. The people who choose to send their children can do so. You have already said, "You have no choices, even though your students might be in grade 12 or your grandchildren or your little kids might be in that school system." You have already made that decision.

Mr. Jackson: My final question in the chain of thought I am trying to get across is on a statement I made publicly a week ago in response to the minister's memo that you have referred to on the trustee election issue. I proposed that the minister give consideration to allowing separate school trustees currently on public boards to transfer and have in place an elected responsibility with the separate board.

I raise that question on the basis that you are transferring students, personnel, grant money and assessment. Why are we not transferring the expertise, the knowledge and the role of those trustees who have the experience to act almost as bridges between the public and separate boards? Why are they the hands let go at the garden gate on a day of—

Mr. Reville: The designated-trustee concept.

Mr. Jackson: Designated trustee based on seniority and plurality; I am being facetious.

It is a concept that has not been brought up, yet it seems to come close to the point you raised. You are left in electoral limbo and want to know what do we do with you. I have suggested to the minister we let the term go its full three years. I think you would get some support from our political party on that issue and I can pursue that further. However, I would like to get a reaction from both of you on that issue.

The Vice-Chairman: I do not see a consensus in your caucus on that.

Mr. Jackson: We have not had a memo from our caucus in two weeks.

Interjection: I am working on one.

Mr. Gillies: It is great. We can say anything right now.

Mr. Reville: What they mean to say is they have not had one memo; they have had several memos.

Alderman Moscoe: My reaction is that it is a very practical solution.

Interjections.

Ms. Rizzo: I am not sure of the ramifications or implications of that. I think it is something this committee should certainly consider as an option. I would examine it.

Mr. Jackson: You are more of a politician than an advocate with an answer like that. You know that, do you not?

Ms. Rizzo: People always make that mistake.

Mr. Jackson: Let me ask the question another way. The way the legislation is currently written you cease to have an elected role 13 months after the election this November. Faced with the prospect of that, or an automatic transfer and a home with the separate school board for electoral purposes, which would you prefer?

Ms. Rizzo: That is another way of rephrasing your previous question. I think this committee has its job to do and I think you should examine that as a possibility. Are you asking me personally?

Mr. Jackson: Absolutely.

Ms. Rizzo: It is like unemployment or a job.

Alderman Moscoe: Now I am being principled and she is being practical.

Mr. Jackson: The reason I am pursuing this is because there is not a large body of information in Hansard on this issue. I seriously want to pursue this. I was a publicly elected trustee for nine years and worked aggressively in my own jurisdiction.

Interjection.

Mr. Jackson: I was a public advocate, not a politician.

9:40 p.m.

The Vice-Chairman: We will pass special legislation to put you back.

Mr. Jackson: The current Premier (Mr. Peterson) is doing his best to eliminate our caucus.

Mr. Reville: Who is going to decide when you get back?

Mr. Jackson: You can see we are trying to be—no wonder we do not have a body of information on this issue.

The reason I want to get an answer from you is because nowhere in Hansard do we have any information. Everybody has come forward saying: "We do not think the trustees' representation is helpful. It is unclear, it has a loose end, it is inconsistent with the other components of the bill." What I am saying is that if we cannot even go to the elected people to help us with this, then how can we respond?

I know the two permanent members of this committee are both nine-year trustees and we have our own views, but it is hard to convince the committee when we have never had a trustee come forward to suggest that one or the other would be a preferable approach.

Ms. Rizzo: I saw something in the paper on that particular issue and I was not quite certain from the description in the newspaper what it meant. Even though today you have described it to some degree, it is still not clear to me. Again, I cannot answer you. I do not know what that might mean. There is no question the more people who represent you in a particular community, the better representation you have. I have no question about that. If there is a separate school trustee and a trustee representing separate school electors, such as myself, representing a constituency, as far as I am concerned it would be better represented. From that perspective, I can tell you that. However, I do not know the ramifications and implications, and it is very difficult for me to imagine.

Alderman Moscoe: I am suggesting it is a very practical solution and my friends on the Toronto board would probably be delighted.

Mr. Reycraft: First, to clarify a point that was made by Mr. Miller: I am not sure whether it was by accident, but he used the date of January 1, 1986. The minister's statement was that the provision in the bill for the elimination of trustees would be in effect; that is, they would cease to be members of the public board on January 1 of the year following the separate board's election to assume those responsibilities of the separate board. Since the bill will not be presented for third reading until some time in 1986, the earliest possible date would be January 1, 1987.

Ms. Rizzo: Yes, I know that.

Mr. Reycraft: The point was made by other members. I guess there is a remote possibility it might not be presented in 1986, which would further delay the effective date.

My question deals with a statement made by Alderman Moscoe early in the presentation, about the unfairness of the situation due to the

fact you were going to have to spend as much, Ms. Rizzo, on your campaign as he was on his and yet you were—

Alderman Moscoe: No. She is going to have to spend as much, be it a one-year, two-year or three-year term. In fact, I wish you all a three-year term, at least.

Mr. Jackson: They signed for a two-year period.

Mr. Reycraft: Anyway, she would be spending the same amount as he would. Having witnessed Alderman Moscoe's extravagance in election campaigns just recently in Ottawa, it causes me some concern.

Can you give us some indication of how much trustees or candidates to be members of boards in large metropolitan areas such as Toronto spend on their election campaigns?

Alderman Moscoe: I can tell you it varies from candidate to candidate and board to board, but the larger the centre, the more expensive and elaborate the campaign. I think Ms. Rizzo's cost about \$6,000 or \$7,000 in the last election.

Mr. Gillies: That is very modest to reach that number of electors.

Ms. Rizzo: Would you really like me to respond to that inquiry?

Mr. Reycraft: I was posing the question to you.

Ms. Rizzo: I think it depends. I can give you an example of a trustee on the North York Board of Education who has been there since the existence of the board. He has been on the board longer than I have lived.

I am sure his name is so ingrained from his constituency work and the kinds of things that he has done over the past 33 or 34 years he has sat on the board, that he probably may not have to spend as much money as I would. He has four wards, I have six; other people have two.

Alderman Moscoe: We wish we all were that lucky.

Ms. Rizzo: It depends. I would imagine it really does depend on the constituency they have and the resources they have, and the time and energy that are committed to it. But I would say that most trustee campaigns cost \$5,000 or \$6,000.

The Vice-Chairman: Thank you very much for the presentation. I might point out, though, that this issue has been discussed by the steering committee. The statement that the minister made was a position that was bounced off both opposition parties, and while it may not be a

perfect solution, there has not been a perfect solution offered. It is a difficult situation, and whether there can be something else that can be done, I guess we will all reflect on it, but none the less—

Alderman Moscoe: Does that mean we cannot expect to hear anything more?

The Vice-Chairman: Well, I am only one member of the committee. I think there are all sorts of difficulties with alternatives other than following when the assessment changes, because of the history of what trustees really are there for, and they are the trustees of assessment.

Alderman Moscoe: Have you had large numbers of people expressing satisfaction with this position?

The Vice-Chairman: We have not had a large number of people expressing concern about the issue, other than that they wanted a statement as quickly as possible in order to clarify the situation. That was why the statement was made last week. I am sure we will all reflect on the presentation made tonight. Thank you very much.

Mr. G. I. Miller: I would just like to say thank you to Mr. Reyecraft for correcting the dates because time does fly by quickly; it was 1987.

Mr. Jackson: Mr. Chairman, if I might raise a point of information, I would like to inquire of Mr. Reyecraft. He made reference to the fact that the transfer of assessment may not occur on January 1, 1987. I wonder if, in his role as parliamentary assistant to the Minister of Education, he was speaking based on some apprehension, or based on some information that he might enjoy but the committee may not. It causes great alarm if there is doubt in the parliamentary assistant to the minister about the transfer of assessment 14 months from now.

Mr. Reyecraft: Our very real expectation is the bill will be brought forward for third reading some time during 1986. We recognize, however, the fact that all parties are at present committed to having a series of full and unrestricted hearings on the bill before it can go to clause-by-clause discussion and be presented to the Legislature. We do not know when those hearings will conclude. Secondly, we recognize the fact that a court reference with the bill has been made.

My statement was not with respect to the transfer of assessment, although that bill certainly provides for that happening, and at that same time the representatives of the separate school electors would cease to be members of the public board.

The Vice-Chairman: We cannot get into a question period. We have a gentleman who has been waiting for 45 minutes to make a presentation tonight. The minister's statement was clear. I think Mr. Reyecraft simply said that assessment cannot be transferred until the bill has been transferred, and that is what the minister's statement said last Thursday, for those of us who listened very closely. I would like to call on Mr. James to make his deputation to the committee. You have been patient in waiting for us.

RICHARD JAMES

Mr. James: My sympathy is with all of you who have been listening to this routine for many months. I did not know you were listening to a lot of things that have nothing to do with education as far as I am concerned. It seems to be much more a case of being involved with who gets his job or who keeps his job, but my brief varies a little from education; however, not very much. I hope you have a copy.

Much is made of the fact we elect people to enact our wishes. We call it democracy. It is supposed to be an alternative to dictatorship. Then we citizens spend our time and energy trying to get our elected representatives to carry out the wishes of the majority. Sometimes a plebiscite is necessary.

For thousands of years, differences in religion have been the cause of hundreds of bloody wars. Right now we have several examples of that in different parts of the world. Bill 30 has great potential for promoting religious strife. Thanks to Bill Davis, Bill 30 will extend the separation of young people on the basis of religion.

When I was a boy, we moved from one village or small town to another every few years because my father was an Anglican clergyman. Almost all young people went to the same school. On Sundays we went to different churches and Sunday schools, but right after, we went to the river for swimming or skating together.

However, there was another group—sort of different people, the Roman Catholics—and we did not mix much. July 12 was a big day. That set us apart even more and sometimes a fight started.

Eventually we all went to the same high school and soon found out there was no difference. We got jobs or went on to higher education and forgot about differences in religion. Then many of us enlisted and the only time we were ever separated on religion was when there were two church parades, Protestant and Roman Catholic. There was no rivalry; there were no gibes. In an hour or two everybody was the same again.

Last year ex-Premier Davis decreed young people were to be kept separate on the basis of religion for two or three more years. I am here to try to prevent it.

We have been told this is the committee that hears all discussions on education; good. I contend the quality of education is far more important than the subject you have all been exhausting yourselves with for months. When students of 17, 18 or 19 are told at the university they must spend a year or more to learn to read, write and finish a sentence, they have every right to feel cheated.

In fairness to students, they should be prepared for an active, productive, enjoyable life and we should leave their choice of religion to themselves and to their families.

A year ago I listened to a man in charge of computers for the Ministry of Education as he extolled computers to the extent of ridiculing the need to learn the multiplication table. Mr. Lorne Smith said he could remember that six sevens make 42, but went on to say his pocket calculator and the cash registers in the stores meet his needs. He was unimpressed when I told him of a 17-year-old who used his fingers to count up a few threes and fours.

It is no wonder John Bulloch, president of the Canadian Federation of Small Business, tells us 170,000 jobs are not filled because applicants are not sufficiently trained. It just happens this is Literacy Week, and we are told a million adult Canadians cannot read or write.

There is something else I did not put in my report. We are also told that four million people in Canada are functionally illiterate. I take that to mean that a guy can drive a truck, but he cannot read the directions or the invoices he delivers, and he cannot use a city directory to find his way about. There are four million Canadians who are described as functionally illiterate.

The result? Canada scrounges for immigrants who received proper basic training in elementary schools in other countries. I hope you see the really relevant factor.

Has anyone estimated the cost of this hearing? There are many Roman Catholics who oppose extra funding, and with good cause. It is not the Catholic community that started this. Mr. Davis, in a single move, without authorization from the public, rekindled the dying fires of religious prejudice in Ontario. Mr. Davis is astute and clever. Is he callous or indifferent? Did he not care that his action would be seen as provocative, even contemptuous?

Let me tell you a few of the ways politicians made decisions not for the good of the public at large. Toronto used to be known as the city of trees and ravines. One way some of this changed was when builders wanted to build down into ravines. Paragraph 433, page 154, minutes of council, May 25, 1953, reads as follows:

"Grossman moved, MacVicar seconded, motion Bill 151 to repeal bylaws 6061 and 11474 insofar as they prevent the building of apartment buildings on Rosedale Valley Road near Severn."

If those bylaws were not to preserve our ravines, why not wipe them out entirely?

Besides then-Premier Miller being saddled with the indefensible problem of extra funding for RC schools, Mr. Davis decreed a small group would decide where the new domed stadium would be. Who became chairman of the group? Grossman Jr., son of the man who first put apartment buildings in ravines. Of course, there were hearings; but excellent protests were ignored. Should we be surprised about the location when the recommendation was based on profit for a few? Why bring this up? That was an example of the public's much better reasoning being ignored and a decision being made on behalf of a minority. Premier Peterson implies it will happen again.

A few decades ago, we Torontonians used to go to Hart House and enjoy the Spring Thaw skits. A month later, some of the same people would go to the annual Imperial Oil shareholders' meeting, where we would be thanked and dined for voting as we did. That still goes on, and it too is a farce because the parent company, now Exxon, holds 70 per cent of the shares, and even if every Canadian shareholder tried to oppose the wishes of the highly paid directors, it would count for nothing. Is this hearing another charade? Will anything you hear make any difference? Are the schools not now operating on the new basis? However, we do not get many chances to try to get your attention; so I am here pretending it will make a difference.

About three years ago, I heard on Canadian Broadcasting Corp. radio that the school trustees were to vote themselves a pay increase of 110 per cent. I called to ask if I could speak and oppose the increase. Because I was put off, I called twice more. Each time the chairman, Bob Spencer, told his assistant to tell me they would not be discussing the increase that night. He did not know I could hear everything he said. I went anyway. They discussed the increase for two and a half hours and then voted to more than double

their pay. I reported this to the Minister of Education, and Dr. Stephenson had a person write saying she could do nothing about my complaint.

Why bring this up now? The trustees have done it again. The papers have just reported an increase of about 33 per cent. I went to several meetings and once, on leaving, a member of a small delegation said to her friends, "And for this we pay people?" I am sorry I was not on before those trustees spoke to you and let them hear this.

10 p.m.

Protestant teachers and others have been assured they will be employed in the separate high schools. Considering they are not prepared to fit into religious teaching they have no training in or interest for, the teachers will not prosper and the supposed excellence of the separate schools will suffer. It is obvious all will deteriorate; so why push it?

Those who approve, saying it was promised a century ago, should keep in mind sensible changes in the last 150 years are seen as good. Duelling is out. Children cannot work in factories or be used as chimney sweeps. Freedom in religion or indifference to religion is expected by many. There is a strong reluctance to have religion forced or stressed in the school system.

Some have minimized the extra cost. I could show you a city of Barrie tax bill saying 60 per cent is for education, over which the city has no control. Will that go to 70 per cent? How many of you talk about Ontario's debt of about \$27 billion, growing by about \$2.5 million a year. Richard Thomson, chairman of the Toronto-Dominion Bank, told shareholders each person in Ontario carries a debt of about \$9,000, and this is growing by \$1,100 a year.

Former Premier Davis wished this problem on you, but that is no reason to accept it. Was it not the same Davis who, as Minister of Education, started smoking lounges in schools? How many thousands of young people are now candidates for lung cancer thanks to Davis? Can you not see he is not infallible? He was wrong as Minister of Education to encourage smoking. He is wrong again in wanting to further divide young people on the basis of religion.

Finally, are you afraid of the result of a plebiscite?

I hope there are some questions. I would like to hear somebody question any of my points. I think I bring a spark of common sense or an awareness of the public that transcends the interest of the caretakers and other school employees who we were listening to earlier. I walked out in the

corridor and asked, "How many of you are teachers?" One of them said, "I am a member of the Canadian Union of Public Employees." They explained to me they were the school caretakers.

I am surprised their main concern is keeping their jobs. My main concern is that young people get a hell of a good start in life, such as they do in a lot of other countries.

I know a chap who came to Canada at 19. He was born in Germany in the early 1940s. He came here having trained as a commercial artist but found he could not get a job. He went to a construction site, and they asked, "What can you do?" He said: "I can do anything. I can handle a pick and shovel. I can do carpentry. I can lay tile. I can lay brick." They said it sounded a little like nonsense or boasting. He said: "All right. Put me to work; I can take on any one of those jobs." Now he runs his own business.

He was taught in school to learn to use his hands in delicate ways, such as an artist, and in a precise way, as a building tradesman. It seems none of our people are prepared properly to take on a job, support themselves, pay taxes and be proud to be productive.

I am just so annoyed by the way Canada has gone down the drain. I have lost a lot of friends. I lost a brother and friends and relatives in Britain during the war, and now I look around and say, "Why?"

I got off track again, but I hope I have brought you around to the important factors for holding a hearing. It deals with education and not with who cleans the schools or gets the job of catering. It depends on teaching. As I see it, the separate school system is very likely to deteriorate if a whole lot of non-Roman Catholics are on the staff, working halfheartedly, just because they got those jobs.

The Vice-Chairman: Thank you. We understand your concern. I can assure you the top priority of this committee also is education and being fair. Those are two principles: a good education system and being fair to the people who participate in it at present. In those respects we have something in common.

Mr. James: People have been saying that for a long time, but the change in output is not evident.

The Vice-Chairman: Are there questions from committee members? If not, Mr. James, I want to thank you for waiting 45 minutes past the time at which you were scheduled. We appreciate the fact that individuals like yourself come before the committee.

Mr. James: Thank you.

Mr. Amber: Mr. Chairman, can I have two minutes to finish my presentation? the committee that tomorrow morning we are starting at 9 a.m. We will get back at it then.

The Vice-Chairman: No. I want to remind The committee adjourned at 10:07 p.m.

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Thursday, September 12, 1985

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No. S-42

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Friday, September 13, 1985



Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Friday, September 13, 1985

The committee met at 9:23 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Acting Chairman (Mr. Reville): Let us call meeting 38 to order. I apologize to Mr. O'Brien for keeping him waiting. Come up and sit down and begin to go through your brief; it is exhibit 636. Pick any one of the red chairs.

J. R. O'BRIEN

Mr. O'Brien: Mr. Chairman, is it in order for me to address a brief remark to the committee?

The Acting Chairman: Certainly; that is why we want you here.

Mr. O'Brien: Thank you, Mr. Chairman. Committee members, staff, friends, Romans and countrymen, I wish to give you some good news this morning. Before I do that, I must point out a small oversight in my brief.

Football enthusiasts will be sorry to hear that my uncle did not actually play in the Grey Cup game in 1925, but rather in the Ontario Rugby Football Union final, St. Michael's versus Sarnia; they got licked nine to two in the mud. I hope you will overlook my oversight in referring to it as a Grey Cup game. However, it is true the university used to challenge for the Grey Cup.

Second, I do not bring you the expertise of statistics. As you know, I come as a private citizen, one who feels keenly indebted both to you in the government and to the separate school system, now styled the Catholic school system, for the work they did on me in the elementary and high schools and St. Michael's College, as it is now called. I thus have a different kind of expertise, which I wish to make available to you in this work.

I have seen the system from the beginning to what we might call the end of formal education. As my brief points out, we were prepared to view as our most serious commitment the taking of our place in the public sphere, to get our shoulder behind the province and the Catholic school system, which you enabled to form us.

I do not say this to the exclusion of other religious groups or organizations. I am not for the

wildest moment suggesting that other groups, religious or secular, have failed in any dedication to forming good citizens. I am merely pointing out and very happy to report to you, as I hope my brief describes, that I have done a lot of work in teaching and nonteaching, in the armed forces and in the public, such as work for the John Bosco home for boys. I am not bragging; I am merely pointing out that this is my way of returning to you and to the system what you have done for me.

In short, when you look at me, you are looking at one who at the age of 55—although I sometimes feel 1,000, because the changes you and I have observed in the past few years in the world are those normally associated with a span of history of 1,000 years.

To get back to what I was saying: My appearance here this morning is to return in some way the measure of gratitude I feel. In a minute I will put myself at your disposal for questions. I will welcome questions. If you have a time factor, please do not hesitate to let me know what it is and I will meet it.

I would like to conclude by saying that, in a poetic way, I regard the Catholic system and the province of Ontario as being members of a kind of marriage. I have participated in that marriage. I am a loyal son of that marriage, as I have repeatedly said in my little talk here.

I can see the immense difficulties that confront your committee. If I were in your position, I would see many levels at which one could enter this discussion. It must be as bewildering to you as a committee as it is to us as we try to discern the various points from reports in the media. Incidentally, I have given the media a rather hard time in my brief. But it is very difficult for us to discern and for you to react at these levels.

There are many other things I could say. I want you to know how pleased I am to be here. I am an honest man and I welcome your questions.

9:30 a.m.

The Acting Chairman: Thank you, Mr. O'Brien. You are quite right. People have approached the topic from many different levels, and the committee is always glad to hear people's views on any level they wish to speak.

Mr. Offer: I would like to thank you, Mr. O'Brien, for your brief. I am glad you did not end

your introduction by saying, "Lend me your ears," but you had ours, I can assure you.

With respect to your correction, I do not know whether it is in the record books maintained by the Canadian Football League that it was a Grey Cup victory that year. It may have been, with respect to your uncle.

We have heard many presentations from throughout the province—some for and some against. Some have indicated how the act may work and others where they might want certain amendments, where we ought to direct our minds and where our concerns ought to be. One of those areas has been the non-Catholic teacher teaching in the separate system. I am talking about the non-Catholic teacher now in the public system who may be declared redundant because of the impact of the act. Under the terms of the act, that teacher would have to be employed by the separate system in its coterminous area.

From your long experience, do you see that as a threat to the catholicity of the separate school system?

Mr. O'Brien: That question, in my view, is simply excellent. I will answer briefly according to my experience.

As my brief indicates, I have taught more than four times as long in the public system as I have in the Catholic system. The plurality of religious, cultural and other matters—let us call all of that a plurality—has rendered my confrères in the public system very flexible. I am still in the public system, by the way.

I admire my confrères for their vast flexibility to the needs of their students in George Harvey Collegiate, Eastern High School of Commerce and so on. I encounter that flexibility every day in my work as a teacher; for example, at North Toronto Collegiate recently.

I can assure you the flexibility will be more than enough in total to bridge the gap to which you refer, i.e., integrating our public school confrères and colleagues into our system. I would be foolish, however, to guarantee you that certain persons would not fall through the sieve on this. As we know, nothing is perfect and I know you are not asking me that.

The administration would have to give kindly and compassionate consideration to taking such teachers, appointing them with the shortfall in what I might call our Catholic expectations, and then offering an alternative—either to upgrade, if I may use the quick term, or to be transferred into a nonspecific classroom area, such as resource, procurement of equipment or curriculum development, until such time as they know our system

a little better. That might not ultimately be a solution, but it would be my view of what should and probably would be done.

Am I giving you some satisfaction? I am saying the public school system—and I am running with them now, working for them—is flexible. In total, it easily has the flexibility to bridge that problem. In particular cases there could be a problem that would not be resolved within the professional life of certain individual teachers and they would go with their superannuation not having solved it. I would have to agree with you there.

Mr. Offer: We have heard, and I think it has been favourably received, that the act ought to allow the voluntary transfer of teachers. Do you think that might mitigate it or lessen the possibility of the problem?

Mr. O'Brien: It would not only mitigate it but also provide a very useful dialogue concomitant with that.

Mr. Reycraft: I assume from your statement about non-Catholic students that you have no objection to allowing those students to enter Catholic secondary schools provided space is available?

Mr. O'Brien: Yes. That is entirely my view.

Mr. Reycraft: From your experience as a teacher, you must be aware that being able to determine when space is available is much easier in an elementary panel than it is in a secondary school.

The elementary school students are structured by grades and classes, and the classes stay together pretty much for the full day. However, in a secondary system, where the credit system is operative as it is everywhere in Ontario, it seems to me there will always be space for students, depending on the timetable they seek.

I wonder if you have any observations on how that might be resolved if they chose to use the space availability condition?

Mr. O'Brien: I welcome a chance to give you my view. It is only my two cents' worth as it is on that other question.

First, I would like to go to the conclusion of the question and then come back. I would like to go to the bottom line and then come back. At the risk of sounding simplistic, if you give us the funding, then a large number of the accommodation problems you referred to at the beginning of your question would disappear.

Now I must deal with the problems that do not disappear by reason, for example, of being out in a small place in the country, far removed, where

the elasticity of the city is not available. Am I getting into your question now? There could be a dandy problem there because we may wish to accommodate, but how could we offer instruction in a technical program such as small engine repair to eight students? It would be extremely costly and impractical. I am taking the extreme of your question.

There would have to be a commission to identify these problems as they arise and to give extraordinary accommodation. I see that. I do not know the answer to it. I can see that it would have to be dealt with by a committee named for that purpose, an advisory vocational committee, for example, or an educational one.

I am running out of ideas, Mr. Reycraft. As you can see, it is a hard one. I am trying to look ahead, and I am not sure what I see there; but I think it could be solved greatly with the finance. Am I helping at all?

9:40 a.m.

Mr. Reycraft: In the existing public system, no students are ever turned away. Space is made for them if they enrol in the secondary school.

Mr. O'Brien: In all the subjects they wish to pursue?

Mr. Reycraft: No, not necessarily. Probably there is a very large number of students in secondary school, maybe even a majority, who do not get every subject they wish to take.

Mr. O'Brien: If I may take your statement in that context, then I do agree with you.

Mr. Reycraft: If one accepts the principle of open access, is there any need for the condition with respect to space availability?

Mr. O'Brien: No, I do not think so.

Mr. Allen: I apologize, Mr. O'Brien, for having missed most of your remarks. I judge by your answers and by your written statement that you appear, at least, to be a person who avoids the normal rhetoric on this issue. I suppose that leads to my first question, which is perhaps not the usual kind of question.

Proponents of two different strands of the public education system in Ontario come before us constantly and we hear them both extol their own system, explaining what they think are its virtues and, on the other hand, sometimes by implication and sometimes by direct statement, raising doubts and questions about the other, its social impact, etc.

Can you tell us whether there is a way to find a language in this issue that makes it possible to talk about systems that are different, with their own unique virtues, without demeaning the other

or necessarily raising a question about quality, or indeed motive, in the other system?

Mr. O'Brien: Off the top of my head, and stretching the context of the bill, I would say something like a system of exchange of teachers, which is done in the universities, would be very good. That is what has helped me to develop what I hope you will regard as my balanced view. All I ask you to do is to regard me as a balanced individual, because by my own choice I have gone back and forth through the system. I have in my career what I would regard as an ideal for all others.

Second, I think there should be an exchange of ideas through the professional magazines and journals. I am frequently a contributor to the Ontario Secondary School Teachers' Federation Forum and to the publications of the Ontario Institute for Studies in Education. Again I say this not to aggrandize myself but rather to show you how I have been lucky. I have danced around a lot.

You learn a lot when you sit down to write. I wrote this five times. Your congratulations are directed, then, to the fifth of my efforts to avoid work, so there you go.

There should be an exchange of teachers and a submission of papers through the journals, because when people sit down, even rhetoricians—did I say that right?—terrible people, are more careful of what they write, as a rule, than they are of what they and we say.

Another possible view is that there is a very popular concept now of four for five, of taking the fifth year out as a sort of quasi-sabbatical, and teachers going on that program could be very well employed in going out and learning about each other's systems.

Those are three things off the top of my head. Am I giving you any kind of satisfaction?

Mr. Allen: Yes, you are indeed, because I think what you are saying is that language grows out of knowledge and experience—

Mr. O'Brien: And working with people.

Mr. Allen:—and working with other people. I suppose as a lesson from that, whatever we can do through this bill to facilitate exchange and sharing will generate the language of understanding rather than the language of attack and rhetoric.

Mr. O'Brien: That is exactly what you and I are hoping for.

The Acting Chairman: Thank you, Mr. O'Brien, for taking the time and sharing your views with us this morning.

The next deputation is the Ontario English Catholic Teachers' Association, Wellington Unit, exhibit 637. When you have settled yourselves would you start, please, by introducing your delegation?

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
WELLINGTON UNIT

Mr. Ross: We are here this morning collectively representing close to 2,000 Catholic teachers in four different units in Ontario. Rather than occupy the time of this committee by having four different presentations, we have come together collectively around the one presentation. I would ask the individuals who represent their respective units to introduce themselves, beginning on my immediate left with the unit president from the Waterloo County Roman Catholic Separate School Board.

Ms. Josefowicz: My name is Mary Josefowicz. I represent about 800-plus teachers and around 14,000 children.

Mr. Kron: My name is George Kron. I am vice-president of the Wellington County Roman Catholic Separate School Board and I am here with Mr. Ross to represent approximately 4,600 students.

Mr. Goodeill: I am Gerry Goodeill. I am a high school teacher at St. Therasas high school in Midland and I represent the teachers of the Simcoe County Roman Catholic Separate School Board; about 400 teachers and close to 8,000 students.

Mr. Keane: Good morning. My name is Seamus Keane. I represent 200 teachers and 12 schools from the Bruce-Grey County Roman Catholic Separate School Board.

Mr. Ross: My name is Claire Ross. I am the president of the Wellington County Roman Catholic Separate School Board. We, the presidents of Bruce-Grey, Simcoe, Waterloo and Wellington, welcome this opportunity to address these comments to you in response to the standing committee on social development's invitation to the public to speak to the particulars of Bill 30 relating to the provision of completion funding for Catholic secondary schools within this province.

At this time, we want to express the sincere gratitude of our parents, teachers and students to you and to all members of our provincial Legislative Assembly. Your support and your efforts on our behalf are deeply appreciated.

I will begin by making some general comments on Bill 30. In recent legislative debates on Bill 30, the Honourable Ron Van Horne, London North, reflected on the need for both school systems affected to maintain their autonomy and the quality of systems they have built up over the years. The Catholic teachers of these counties believe these words succinctly express the essential challenge implicit within the present legislative process, the challenge to maintain the quality and the autonomy of our two distinct educational systems which are each integral parts of the common framework of public education within this province.

We believe this legislation speaks forcefully to the challenge at hand. We see the proposals before us as sensitive, thoughtful and balanced, reasonably addressing the multiplicity of conflicting difficulties with compassion and much understanding. We, therefore, strongly endorse the spirit and the intent of this legislation for these reasons:

1. The provision of completion funding is the logical culmination of our historic journey, realizing for Roman Catholics the recognition of our full rights and privileges as embodied in various educational enactments, both before and after the Constitution Act of 1867. This historic journey began for us with the lives and martyr deaths of the first teachers to Ontario, the Jesuit missionaries of Huronia.

2. The government's incorporation into the legislation of six fundamental principles which preserve the autonomous duality of our common system of education provides the basis for resolving in fairness the legitimate concerns of all affected by this legislative undertaking.

9:50 a.m.

Specifically, Bill 30 addresses in justice the crucial issues of staffing and student access rights in a way that respects historic privileges, as balanced against the very real needs and legitimate concerns of those who could be adversely affected by the legislation.

The legislation respects the paramount concern of Roman Catholics for the preservation of the unique mission and character of their secondary schools. For us, the Roman Catholic public school system must continue to accept the sacred as real, because in our understanding and faith, man is a horizon in which two worlds meet.

Finally, this legislation, in making real the principle of equality of educational opportunity for our students, recognizes the place and role of Catholic education as being relevant to Ontario society because it can have for our country the

kind of value that properly attaches to a natural resource for, in the words of Arthur Maloney, in this age of materialism, we need Catholic schools more than we ever did.

I simply want to bypass the next section of the brief. We will be open to questions regarding the impact of completion funding on our local school communities, but based on the realities of September 1985, these are our conclusions:

1. There have been no dramatic changes in any of our local systems of education as a result of this funding. This, of course, was anticipated because we are adding only 12 credits to an already existing and almost completed Catholic system of education.

2. There has been, and continues to be, very real and meaningful co-operation between all groups representing boards and teachers within our education communities at the local level.

3. The catastrophic predictions of doom and disaster for the public secondary school system have utterly failed to materialize, as judged by the realities of September 1985.

4. Single-secondary-school communities are a matter of serious concern and study for all of us.

I will go to page 4 of our brief.

Since problems arising in relation to one-secondary-school communities are uniquely local, the Catholic teachers of these counties would strongly endorse the following: that local Catholic and public boards of education resolve jointly, in the best interests of their local communities, all completion-funding difficulties relating to one-secondary-school communities.

We would like to look at the matter of staffing, which is a contentious matter of concern. The legislation, we believe, fairly provides for displaced staff within the public system as a result of its partial shutdown. The requirement that Roman Catholic boards not discriminate on the basis of creed in relation to designated persons during the specified 10-year phase-in period would appear to be necessary and proper.

Since we are organizations representing local teachers, we would like to speak most directly to this issue.

Within our counties, our teachers are prepared to welcome designated teachers, as determined by the requirements of this legislation, into our schools and professional associations. We are certain our colleagues from coterminous boards will enhance our system's educational services and provide us with the very highest kind of personal and professional dedication on behalf of our students.

With that in mind, I want to address the equally contentious subject of creed and lifestyle. There are many definitions of the word "creed." As used in Bill 30, its meaning is understandably ambiguous. We would understand "creed" to mean a formulation of principles, rules, opinions and precepts formally expressed and seriously adhered to and maintained. From our point of view and in this context, creed would be inclusive of lifestyle.

Fears have been voiced that various kinds of modern-day lifestyles would not be acceptable within the Catholic system, particularly as they would relate to classroom teachers. In answer to these concerns, we offer some observations.

In and of itself, lifestyle is not an absolute. We do not have total personal freedom in this world. Signposts, guidelines and laws are everywhere to point us in the direction of right conduct. Lifestyle is an important attribute by which those of us who have accepted the responsibility of being teachers are judged by parents and our various publics.

Teaching has historically been regarded as a noble profession, and those who enter it in either system do so in the knowledge that a high standard of personal and professional conduct is required of all those called to teach and influence the young. As one noted author on educational law recently concluded, "It appears that teachers will be held to a higher standard in matters of moral conduct." This is so because all teachers must communicate "by precept and example" those values and virtues which our society rightly deems to be important. This is a legal obligation placed on all teachers by our provincial government because of the intuitive grasp of the public that the "textbook of the pupil is his teachers" because we teach more by what we are than by what we teach.

Since a very high standard of conduct applies to teachers in both systems, we see no real difficulty in the integration of designated teachers into our schools. They will be as sensitive to the Catholic public whom they will serve in our system as they were to the many differing publics served in the public system of education. They will be guided by the professional code of ethics of the Ontario Teachers' Federation and by those regulations which properly define the duties and expectations of those committed to the vocation of teaching within this province.

As well, recent comment has also been made that "in attempting to protect the new arrivals, we breach the principle of equality between those Roman Catholics who have been serving on

Catholic boards prior to this legislation." In answer to this point, the Catholic teachers of these counties appreciate the extraordinary nature of the present circumstances and we regard the rights and privileges extended to the designated teachers as essential recognition of our intent not to force non-Catholic teachers to exist as Catholics in the Catholic system.

We have a number of recommendations in relation to designated teachers. Some of these recommendations have been placed before this committee previously. Suffice it to say that we support the idea of voluntary transfers and we have a recommendation in that regard. We feel the legislation must more adequately define the term "seniority." We strongly support the principle of red-circling the salaries of all designated staff and would recommend that these red-circled salaries be guaranteed until such time as circumstances would entitle designated staff members to an increase in salary within the Catholic system.

Finally, we would recommend that the appeal process, as defined by section 136m, be very carefully considered by this committee because it appears to be lacking in that quality of directness which is so necessary in attempting to resolve very real human problems of considerable personal anguish and pain.

Looking briefly at the subject of student accessibility, the tradition of our Catholic secondary schools in these counties and, indeed, across this province has been to admit non-Catholic students upon parental request, should they be requesting what our schools are offering; namely, a Christian-based education. The provisions of this legislation simply mirror past Catholic school tradition and practice. We have always believed in the right of parents to determine the educational environment of their children and such provisions are consistent with the unique mission of our Catholic secondary schools.

The requirement "where space is available" is a reasonable position at this time. We do not see this as an inflexible limitation on access to either public system. Historically, only a small number of non-Catholic parents have requested access to our schools for their children. Completion funding will not change this pattern. There is a real need to see to the proper allocation of physical and program resources within the two publicly funded systems; otherwise, the general public could be left with the impression that there will be significant upheavals within the educational structures resulting in unwarranted ex-

pense in the form of unjustified duplication of services and facilities.

A subject of very serious concern for us is the exemption from religious studies. We note that two kinds of exemptions are looked at by the legislation. For non-Catholic students admitted due to necessity, we support the recommendations of Bill 30 in this regard. As to the matter of non-Catholic students admitted as a matter of personal choice, students who come under this category may apply to Catholic boards of education for an exemption from religious studies. We find this provision to be acceptable, respecting, as it does, the autonomy and responsibility of local Catholic boards within the province to decide such issues.

Presumably parents of non-Catholic children, in making application for admission to the Catholic system, do so because Catholic schools offer a definite religious perspective. Past experience has shown that such non-Catholic parents are anxious to have their children fully participate in the life of the Catholic school, including active involvement in those studies related to religious and moral development.

10 a.m.

As well, we strongly support the principle of board of payment of fees in those situations where parents decide to send their children to public or Catholic secondary schools of which they are not electors. This provision protects the constitutional guarantee that only Roman Catholics shall be eligible for election as trustees to Roman Catholic boards of education.

In conclusion, in speaking to Bill 30, the Catholic teachers of these counties hold to the words of our first Prime Minister, "We do not want to stand on the extreme limit of our rights." There has been far too much of that already on both sides. Extremism of any kind is not conducive to that spirit of genuine understanding and co-operation, which is the Canadian way of speaking to contentious issues.

What has shaped the heart and soul of our province has been our traditional respect for our multicultural diversity which has led us to reject outright a melting-pot mentality leading to unacceptable forms of homogeneity and mediocrity. Of such mettle was the guiding wisdom of those who brought about the union of this country.

In that same spirit, that wisdom is continued by the work of this committee as you seek to put one of those difficult issues behind us, in keeping with the progressive and harmonious development of our province.

We, who have laboured for long years in the hope and faith of our Catholic school system, most strongly support you in your efforts. We would now be open to any questions you might have of us in relation to this subject.

The Acting Chairman: Thank you, Mr. Ross. The committee appreciates how focused you have made your presentation.

Mr. Gillies: Thank you, Mr. Chairman. I might like to thank you, also, Mr. Ross, for an excellent presentation. I think most of us here would agree particularly with your comments about not standing on the limit of one's rights. To make this bill work will require a lot of give-and-take and a lot of rational discourse.

One of the more contentious things we have had to wrestle with is the question of access. I am speaking of access not just with respect to students moving in and out of the system, but to teachers and so on. Something came before the committee last night that really troubled a couple of us—I can say that it troubled me—and I would like to elicit your thoughts on this.

It was an allegation in the presentation by the Canadian Union of Public Employees, representing a lot of clerical and other staff in support of the Metropolitan Separate School Board. It was alleged the Metropolitan Separate School Board does not hire non-Catholics as secretaries within its system. There was a suggestion, which we have not had substantiated, that this also spilled over into other nonclerical staff, such as janitorial staff and so on.

I think there is room for debate with regard to maintaining the flavour in the catholicity of your system as to the merit or lack of merit of the mix of teachers within the system. However, I would very much like to hear your comments with respect to this apparent discrimination in the hiring of staff and to hear your group's feeling about this.

Mr. Ross: Just to clarify this, are you referring particularly to people in the public system who may be displaced at those levels of work?

Mr. Gillies: Yes I am, but my question goes beyond that really. I am questioning this whole hiring practice within what will be a 100 per cent publicly-funded body, such as a separate school board. I question whether or not this type of yardstick should be used in hiring. I am speaking specifically now of nonteaching staff.

Mr. Ross: In maintaining the catholicity of our schools, we certainly would not be as concerned about those who are not as directly involved with the students. I believe we are in an

evolutionary process, as you mentioned, and there has to be a great deal of flexibility. One of the principles we have to be concerned about is the principle of social justice. We also have to be concerned that we not become totally exclusionary.

The feeling I have with regard to the counties we are representing is that is not the direction in which we are going. We would certainly be very open to that subject, from the points of view of both our teacher organizations and our boards. I do not think we can take a position which would be engraved in stone to the detriment of people who may have a rightful claim in justice to come into our schools because of job opportunities which would be there.

Mr. Gillies: I thank you and I take a lot of encouragement from that answer. Speaking just as one member, or part-time member anyway, of the committee, I can fully understand your desire to maintain and even strengthen the catholicity of the system. Indeed, what is the point in having a separate system if you do not do so?

Mr. Ross: Exactly.

Mr. Gillies: But, at the same time, with respect to some of these hiring practices, some of us would take a lot of encouragement from what you say.

Mr. Allen: If I could just follow that with a brief trailer. From the point of view of maintaining the catholicity and with respect to the question of contracting out, which many boards, both public and separate, increasingly are doing with a variety of services, is it your considered view that is detrimental to maintaining community interest in a school, as distinct from maintaining in-house hiring with the capacity that has for greater selectivity of personal, as well as other characteristics, that might serve the school?

Mr. Ross: I think it is a very dangerous direction in which to move for any board, public or separate. I think we do have an obligation within our local communities and an obligation, particularly in this period of transition, to make sure we are going to be providing, within the context of the schools, job opportunities for people within these local communities. There are certain understandings and there is a certain spirit which is clear in respect to this legislation. There is a danger, when we get into this mechanism of contracting out, that it could provide a mechanism for getting around some of the requirements of the bill and the spirit of the bill. I do not, nor do I think my colleagues who sit here at this table

today, support this concept of hiring out, as you say.

Mr. Allen: Thank you very much.

Mr. Davis: Gentlemen and ladies, I would like to compliment you on your brief; it is an excellent and concise brief and allows us to move very quickly into some of the areas we would like to discuss, and some of your answers.

I wonder if I could just pick up on Mr. Gillies' and Mr. Allen's comments. You talked about the justice and fairness, and I would ask you this question. Do you believe it is fair and just that because of the extension of funding to the separate schools, starting this spring, for example, teachers who graduate from teachers' college who are Roman Catholic have an opportunity for employment in two directions? It is possible for them, and I am sure they will do it, to make two applications, one in the public school system and one in the separate school system, or to make a number of applications in both systems. Meanwhile, a non-Catholic teacher is restricted in his or her career search because he or she can only apply to one board. Would you like to comment on that?

Mr. Ross: There is evidently a perceived injustice here. I do not dispute that at all. A number of thoughts come to mind. First of all, I suppose in this world there is not equal justice totally; we are never going to find that. Second, I think that is a problem which has now become a part of the transition and evolutionary process within this province. It is something we have to look at and I think it is something that we, as Catholic teacher organizations and Catholic boards of education, are going to have to address. I hope we can do that with the same spirit of co-operation and sense of justice that has been thus far exemplified in the discussion and consideration of this bill.

I do not have an easy answer for this one at the present moment. You understand that the preservation of the catholicity of our schools is at stake here, because if the right to hire, according to traditional staffing practices, is not maintained, we could be involved in an evolutionary process that would speedily see the demise of the catholicity of our school system. That is the problem if you try to—

Mr. Davis: Can I just add a bit to that? As you understand, I am not talking about elementary school; I am talking about secondary school.

Mr. Ross: Yes.

Mr. Davis: You are unable to enact the present hiring practice because grades 9 and 10

are formed under the elementary standard. Now they are going to become secondary panels.

Mr. Ross: Yes.

10:10 a.m.

Mr. Davis: What I was really looking at was an individual who was probably very active in his own religious community. I want to say I appreciate your answer; at least you are prepared to look and try to find a sense of fairness and justice for the future, and I think that is important for us.

The second question still has to do with teachers and I would like you to wrap your mind around this one. It is the process of the volunteer system we are talking about. I have a teacher in mind who has 14 years experience as a history teacher. A coterminous separate school board advertises for a math teacher. Because of the certification of the Ontario Ministry of Education, he is also certified to teach math. It is on his certificate. He applies for the math teaching position. In your opinion, does he qualify for that position?

Mr. Ross: Being in a secondary school myself, I would say he would obviously have recourse to his own supervisors within the public board of education and if, in terms of his teaching record, he appears to be someone who is a strong teacher and who reflects in his lifestyle the kind of values that we expect, really, of all teachers within this province, my answer to you is yes.

Mr. Davis: That is not the question I asked. The question I asked you is by certification, does he qualify to teach math?

Mr. Ross: You are telling me he has certification in both history and mathematics?

Mr. Davis: That is what I am telling you.

Mr. Ross: My answer to you is yes.

Mr. Davis: If that person, he or she, is not hired by the coterminous separate school board and then issues a grievance, which can be done, would your federation support him or her, helping him or her in the case, even though it may go through the coterminous public federation, based simply on the right of that individual to qualify to teach the subject because of certification?

Mr. Ross: I do not think we would look negatively on the grievance. The relationship between the two associations is another question at the present time.

Mr. Davis: My final question: It was interesting to me that you skipped page 3 in your brief. You did not read it. It was dealing with the small

rural communities within Wellington County. You jumped over to the solution. You indicated you are concerned about this but at present you are not going to move into those communities to establish a coterminous secondary panel. Why?

Mr. Ross: We understand the significance and meaning of these one-school communities and in particular the significant meaning of the school to the community as a whole. It is not just a school. It could be the major employer. It is the centre of culture. It is the focus of the community. We have a very serious obligation to ensure this expansion takes place in such an evolutionary way that we do not jeopardize any of these schools around which these communities are formed.

We are going to have to look at creative mechanisms to resolve these problems. Quite obviously, the solution to this problem is not for the separate schools, using the broad axe of the law, simply to storm in there and build secondary schools which would have tremendous harm on the local community. That is not what we ought to be doing.

I do think there are creative mechanisms and I do not know that we, as Catholics, in looking at this problem, should demand, as it were, the full extent of our rights. That is the spirit with which we have to approach those problems.

Mr. Davis: As an educator, do you believe a school jurisdiction of roughly 150 students could provide a quality education and a series of options for the individual? I am asking you as an educator.

Mr. Ross: When you ask that question, I call to mind a study that was done by the Ontario Institute for Studies in Education on how big is too big. After 600 pages, I believe the conclusion was that it all depends. I am not trying to waffle on the answer, but I think it would depend on a lot of factors. My immediate reaction is that might be a pretty difficult proposition.

Mr. Davis: Let me continue. In the village of Arthur, there are 299 students. That is where I got the 300 from. It seems to me you have a social concern about that individual high school, but you must also have an educational concern because in the debate we are beginning to lose sense of one ingredient that has become very important, and that is quality of education for the students.

A number of your colleagues have indicated that an operative size of a secondary school for a full secondary program—this was quoted by a sister who is a principal and has been for 30 years—is around 500. It is interesting that when

we questioned your counterparts from the public system—after you get them down to where you are supposed to be—the number needed to run viable programs is also around 500. What is interesting to me in your brief is that the decision not to move immediately to establish a Catholic high school indicates that option is open in the future. In a school jurisdiction of 299, even if it is a 60-40 split, what happens is we begin to put students at risk.

I was wondering how you would feel if there were some kind of agreement made that, in those coterminous jurisdictions where there is one single high school, if they do not reach a certain trigger figure—I will just use 500 for example—the coterminous board will not establish a secondary school, not because it does not want to but for the importance of the education of those students. The public school system will afford the coterminous board the opportunities to develop the Catholic community based on religious instruction and the opportunity for the sacrament and even put on staff a religious counsellor. How would you react to that?

Mr. Ross: I see that as a very viable option. That is exactly what I am referring to when I said we may not have the fullness of our rights in all areas of this province. There may have to be some breaks in this regard because when people have the opportunity to do things, sometimes their desire to achieve certain goals and objectives outruns their prudence with respect to the practical kinds of situations.

I support what you are saying and I also believe that some of these school communities could be dramatically strengthened by the sharing and the interaction and co-operation which is possible under the spirit and intent of this legislation.

Mr. Davis: Thank you very much for your wisdom. I appreciate it.

Mr. Reyecraft: First, just to follow up on Mr. Davis's line of questioning, somewhere in your brief I got the impression you were aware of the impact of full funding on secondary schools, not just in Guelph but in the smaller communities as well. Could you give us some information about places like Arthur and Palmerston with respect to the number of graduating grade 8 students who have enrolled in the separate secondary school in Guelph and how that compares to previous years?

Mr. Ross: In Palmerston, the Catholic students would go to Palmerston High School. In Arthur, it is primarily the same. There really has been no change at all in the enrolment patterns

because of the long distances required in busing. Rather than bus students to the city of Guelph, which could be 30 or 40 miles away, parents are prudently electing to have these students continue in the public secondary schools which they have previously supported. We support them in that, very much so, because this is a very delicate and sensitive question. It has to be approached with a certain spirit and a sense of justice to these communities in which these schools exist. If we do not, we are simply going to cause serious difficulties. That is not going to enhance either the separate or the public school system.

Mr. Reycraft: Are you aware of any efforts in your area to provide new transportation facilities or any other efforts to encourage students to travel the 30 or 40 miles?

Mr. Ross: No, any kind of new transportation would be put in place only if parents demanded it. That does not appear to be the case at all. As a parent myself, I would not want my child riding 30 to 40 miles per day, morning and night, on a bus. That is an enormous amount of time. I am also looking at the co-curricular programs. They would not be able to take part in such programs.

10:20 a.m.

We are seeing, in many places in Ontario, the same kind of enrolment patterns we did in the past. We would support that. Nevertheless, parents in these areas who wish to take advantage of a Catholic education now have the opportunity to create the kinds of environments Mr. Davis referred to, where we can have the co-operative interaction of the two boards in creating an environment within the context of the public school system to provide, if not the most desirable kind of Catholic environment, at least something that will satisfy certain minimal basic needs.

Mr. Reycraft: I share your views on that, but I must point out that there are places in the province where boards are practically encouraging students, through the provision of transportation facilities, to do just that.

Mr. Ross: That is a problem we are going to be faced with.

Mr. Reycraft: My other question deals with the matter of access to Catholic high schools for non-Catholic students. How do you see the "where space is available" provision being applied?

Mr. Ross: I see it as being very reasonable to the public at this time, at least from a political point of view. At the same time, let us be very honest. If people are asking to come into our

schools, we will do everything to provide for that. If we are really strapped to the wall, it is simply a matter of appealing to the minister or the ministry to have the accommodation provided in either system for these students. I do not think there is any limitation of access over and above what we have at present.

Mr. Reycraft: I guess part of my concern is that by leaving it in the bill, we leave open the possibility that someone may attempt to apply that restriction in a discriminatory way.

Mr. Ross: If you take it out, I do not think it is going to make that much difference. That is my feeling. It is there as a statement now, but the reality will be that either board in a particular jurisdiction will attempt in every way possible to provide for every student who applies.

Mr. Allen: I appreciate the spirit of this brief and presentation and the interchanges taking place just as I appreciated a similar spirit of judicious response to the problem in the presentations of the Simcoe board, the Wellington Roman Catholic Separate School Board and the Waterloo county board when we heard them in London and Toronto. That is very hopeful.

Can I ask you a question that has been put to us most insistently in the Kingston and Ottawa areas from your Catholic colleagues, parent-teacher groups and so on? The potential is in the bill for the transfer of some non-Roman-Catholic supervisory personnel. By virtue of hiring practice in the future, there may be persons who are taken on at that level.

As teachers in the system of some standing and experience, do you see any essential difficulty in the existence of occasional supervisory personnel—I say "occasional," because I cannot imagine they would be prevalent—in virtually any position of supervisory officership in the system and in working with those persons?

Mr. Ross: Personally speaking, no. There might be less difficulty with supervisory officers than in some situations that could exist within the schools themselves. At that particular level there would be no difficulty whatsoever in having individuals as supervisory officers. I do not know how that could be a serious problem.

Mr. Allen: Moving it into the school with respect to department heads, principals and vice-principals, are there unique problems that you as teachers would have in working with non-Catholic personnel in those positions?

Mr. Ross: I am a school administrator right now in a Catholic high school. We have no problem whatsoever with department heads. Our

practice is that we do not discriminate in terms of our promotional policies with department heads.

There may be somewhat more difficulty with the positions of principal and vice-principal because the expectation of the Catholic public is such that these are regarded as the two key people in the educational edifice, if you like, as the school relates to the local community.

I would not totally rule out the possibility that such an individual could hold these positions, because we have people in the public school system whose lifestyle and credentials are second to none. I do not rule out that possibility. I am simply pointing out in all honesty that there probably would be somewhat more difficulty with those two positions over and above any others. There is no problem whatsoever with the department heads and none that I can see with the supervisory officers.

Mr. Allen: Moving that into the arena of your colleagues as teachers, we have often asked a question, and I am sure you have read it. I do not want to ask it in its simple, basic form of whether there are non-Catholic teachers in your schools, because I know there are. Nor do I want to ask you whether that presents a problem in relationships; for the most part, it does not seem to, and we have not picked up real evidence of that. What I want to do is turn it around a bit and ask it from a positive point of view.

From the point of view of Catholic education at the secondary level—I am thinking of maintaining catholicity, not simply as a virtue but also as an intellectual exercise, and knowing the breadth of Catholic education in its classic form in attempting to lead children to encounter the fullness of their world—is it a positive value to have a significant number, certainly not a majority, of non-Catholic teachers scattered through the system?

Mr. Ross: I have always felt that Catholicism is very pluralistic in terms of its approach and its *modus operandi*. I would agree with you; I find such encounters and the presence of individuals who do not necessarily profess the fullness of our faith to be extremely enriching and, at times, enlightening in our school environments.

Mr. Allen: I appreciate that. With regard to the hiring conditions that lie around that—

The Acting Chairman: Excuse me. Mr. Gillies has a supplementary on your last point.

Mr. Gillies: This relates to what Mr. Allen is asking; it also goes back to my original question. Do you believe that persons applying for nonteaching positions within any school board

should be asked, on application, what their religious faith is?

Mr. Ross: Personally, I am not really that concerned about that question in that context. I can see the injustice if the question is put.

Mr. Allen: That raises the next question I wanted to ask. One can observe the injustice, and quite apparently in Ontario. However, wise legal minds have decided there is an interesting encounter here between constitutionality and the right to maintain the distinctiveness in the system on the one hand—what we all bunch together as a collective right—over against something that a liberal rights tradition attaches as the rights of individuals.

Those legal minds have decided the law must reflect not only the rights of individuals but also those of the collective entity, in this case the Catholic school system, and have provided on the point of discriminatory hiring—if I can use that language, although I am not sure I like it—an exemption where religion is concerned with regard to the Catholic system.

What I want to get a sense of is the basic minimum that makes possible the maintenance of the distinctive catholicity of the system. I keep wondering whether that is a necessity. We had a representative of the Alberta trustees here yesterday who said such a provision was not in existence in Alberta; there was no such exemption for Catholic schools in their hiring. However, it was understood that the schools were Catholic entities and that the employer had a right to hire persons to fulfil appropriate roles within that kind of setting and that in that sense there was no need for a formal exemption.

In your view, is there any need for a formal, legal exemption from that kind of discriminatory hiring—and I say again, I do not like the language—on the basis of religion or to protect the catholicity of the Catholic school?

10:30 a.m.

Mr. Ross: As we look at this problem, we look at a multiplicity of communities across the province which are represented by separate school boards. I suppose there would be as many answers to that question as there are boards and publics that are being served.

Mr. Allen: I am finding that.

Mr. Ross: This is a problem that is going to have to be wrestled with by the various local communities. I do not want to use numbers or quotas; we are getting into very dangerous grounds here. At the same time, you people understand with great sensitivity the need to

allow separate school boards some right of control in terms of staffing practices to ensure the essential catholicity of our schools.

There is a feeling in the Catholic community that this should be the case as a result of the widespread negativism or criticism that has engulfed us; in fact, it has simply swarmed over us. In the face of those kinds of comments, we would look at the need for some sort of right to protect ourselves, given the very evident expression by certain individuals and groups that, if they had their way, they would dramatically alter and change this and make it into an evolutionary process which would destroy the catholicity of our schools.

I do not think that is what this committee has been put here for, nor do I think that is the intent of the legislation. That is the problem, the great balance; it is going to require the wisdom of Solomon to come up with an answer as to how you can reconcile these two polarized positions. I do not know whether that helps you.

Mr. Allen: It reflects on the problem rather than answering the question, let us put it that way. Sometimes reflection is just as good as an answer to the question itself.

Perhaps I can press the question a bit. There have been court judgements rendered on cases of lifestyle and what have you—there was a recent one in Vancouver—which underline the catholicity of the school system and the rights that have to pertain thereto to maintain that. There is a lot of supporting legal groundwork there. In addition, the system itself has the impetus of all the Catholic parents behind it and the pressures that are there, as well as the present force of an overwhelmingly Catholic teaching body. I am wondering whether all this taken together in a sense is not its own protection.

Mr. Ross: I would agree with you except for one proviso. Very often, if there is not some sort of legal mechanism of protection, some other legal mechanism that perhaps has been a sleeper is suddenly brought forward and we have the initiation of legal action, which results in precedents being set. If we did not have some protection to neutralize that, we might find ourselves in an unanticipated situation that could result in our demise.

If the reaction of the community at large to the announcement on funding had been such that it had been received in a spirit of goodwill, with a sense of justice and so on, what you are saying would be very open as far as we are concerned. However, we are somewhat alarmed at the sense of negativism that is there. I guess we wonder

aloud, if we do not have some sort of protection, whether advantage might be taken that would not be in the best interests of our system, because it appears groups and individuals perhaps do not respect even our right to exist.

Mr. Allen: I thank you for the answer. In our legal system the best protection is the precedent in law, and there is a fair bit of that. That in turn is reflected in the exemption in the Ontario Human Rights Code, which codifies the precedent whichever way you look at it.

The Acting Chairman: I would like to thank you, on behalf of the committee, for appearing here today. Thank you very much for your reflective presentation.

Mr. Ross: Thank you.

The Acting Chairman: The next deputation is the Federation of Provincial Schools Authority Teachers; exhibit 638.

I remind the members of the committee that we are now 37 minutes behind schedule. If you can make your questions as crisp as possible, we will get out of here some time today.

Will you please arrange yourselves and then introduce your delegation?

FEDERATION OF PROVINCIAL SCHOOLS AUTHORITY TEACHERS

Mr. Cowden: May I ask your permission to have two more chairs to allow all of our system to be represented?

The Acting Chairman: You are entitled to bring as many chairs as you wish. I remind you that for Hansard to record your pearls of wisdom, anyone who speaks must be very close to the microphones in front of you. If you have a speaker who is out on the wing, please have that speaker lean in towards the little light that will turn on.

Mr. Cowden: First of all, let me introduce the rest of the members with me here today.

Next to me is Bruce McIntosh, who is the treasurer and represents the visually handicapped schools of Ontario. There is Graham Haworth, executive director, representing correctional schools in Ontario. Next to him is Eugene Tully, executive director, representing the hearing impaired schools in Ontario.

To my far right is Ralph Greene, executive director, representing developmental schools in Ontario. Then there is David Hager, our counsel, who is from the firm Lash, Johnston. My name is Peter Cowden, and I am chairman of the Federation of Provincial Schools Authority Teachers.

Because of the importance of what we are presenting today, I shall be reading the text of our brief.

The Federation of Provincial Schools Authority Teachers is pleased to have the opportunity to make a presentation to the members of the standing committee on social development regarding the amendment to the Education Act.

The Federation of Provincial Schools Authority Teachers was established in 1975 pursuant to the Provincial Schools Negotiations Act, Revised Statutes of Ontario, 1980, chapter 403, to represent teachers operated by the government of the province under three separate ministries: Education, Health and Correctional Services.

The federation currently represents more than 450 teachers who are employed directly by the government through the Provincial Schools Authority. They teach in a variety of provincial facilities, including developmental schools—schools for the developmentally handicapped and mentally retarded groups—training schools, schools in correctional institutions and regional centres for the visually handicapped and the hearing impaired.

We are not here today to present argument as to whether or not the extension of funding to the Roman Catholic secondary schools should occur. That is a political decision, and sufficient argument has already been directed to the committee concerning that issue. Neither are we here to comment upon the adequacy of the proposed amendment as it affects those teachers currently employed in public boards of education.

10:40 a.m.

Our purpose today is to bring to the committee's attention the concerns of the Federation of Provincial Schools Authority Teachers with respect to the effects of the proposed amendment on its members and to recommend to the committee that an amendment be made to Bill 30 so the members of the federation will receive the same protection as has been proposed for those teachers now employed by public boards of education.

To understand why the proposed amendment will affect the federation members, it is necessary to appreciate that the Ontario government is now in the process of divesting our schools, our teachers and our students from being under the direct administration of the province to being placed under the administration of the various local school boards, both public or Roman Catholic, in which our schools are located.

To date, most of our developmental schools have been, or are in the process of being transferred to local school boards. Further, the government has served notice that all training schools and correctional schools will be divested after September 1 of this year. It is predicted that eventually all the federation schools will be transferred to local school boards.

The government's past and, more important, its present and proposed transfers of federation schools to the local school boards contain no protection or guarantee for the federation teachers for seniority, salary level, sick-leave credits or payments on retirement. Further, with respect to transfers to Roman Catholic school boards, there is no guarantee that the boards shall not discriminate on the basis of creed in the employment of federation teachers.

Federation teachers who are transferred to local public boards without seniority may be significantly affected by the proposed amendment. If the local public board has declining enrolment consequent upon the election of a Roman Catholic separate school board to perform the duties of a secondary school board, the federation teachers will be the first to be declared redundant. With no seniority protection, it is also possible that the entire or a significant portion of the teaching staff of a federation school may be replaced with teachers from the local school board with more seniority.

Leaving aside the financial effects on the federation teachers, the transfers to the local school boards without seniority protection may well result in a reduction in the quality of teaching services now being provided in our unique schools. The federation teachers have developed a considerable degree of expertise in teaching the visually handicapped, the hearing impaired and the developmentally handicapped, just to name a few. However, teachers with more seniority from local school boards are unlikely to have an equivalent degree of practical experience in this area of teaching.

Further, any significant teaching staff change in these schools may have negative consequences for the students. It would be unfortunate if these needy students were adversely affected by the proposed amendment.

Although section 1361 provides significant guarantees and protection to teachers employed by public boards, this section will be of little assistance to those federation teachers who are transferred into public boards without protection for their prior seniority, salary level, sick-leave credits and payments on retirement.

If a federation school is transferred directly to a Roman Catholic school board, the federation teachers, unlike teachers who are employed in public boards, have no protection or guarantee that the Roman Catholic school boards will not discriminate on the basis of creed.

The Ontario government has taken considerable time and effort to protect the rights of teachers employed by public boards. However, no effort has been made to protect the rights of those teachers who are members of this federation. The proposed amendment, if passed without change, will result in discrimination against and harm to members of this federation.

The Federation of Provincial Schools Authority Teachers is of the view that its members deserve equal treatment to that being proposed for other teachers. Accordingly, we urge this committee to recommend that the following amendment be made to Bill 30. It is as follows:

"The Provincial Schools Negotiations Act, R.S.O. 1980, Chapter 403 is amended by adding thereto the following clauses:

"4(7)(a) Subject to any agreement between the teachers covered by the written collective agreement and a public school board or a Roman Catholic separate school board no school shall be transferred to a public school board or a Roman Catholic separate school board after September 1, 1985, unless the teachers employed in the transferred school have the right to commence employment with seniority equal to the seniority the teachers would have had if the school had not been transferred;

"4(7)(b) No school shall be transferred to a public school board or a Roman Catholic separate school board after September 1, 1985, unless the teachers employed in the transferred school have the right to commence employment with the annual rate of salary the teachers would have had if the school had not been transferred;

"4(7)(c) Subsections 136l(12) to 136l(16) of the Education Act apply with necessary modifications to a transfer of a school after September 1, 1985 to a local school board or a Roman Catholic separate school board;

"4(7)(d) Subsections 136l(19) to 136l(21) of the Education Act apply with necessary modifications to a transfer of a school to a Roman Catholic separate school board.

The purpose of the provision in the proposed amendment—that the protection of seniority should be subject to an agreement between the federation and a public school board or a Roman Catholic secondary school board—is to allow flexibility to the local school boards.

Some local boards may wish to consider a system of dual seniority. Such a system provides the teachers with full seniority within the facility and the beginning of the accumulation of seniority outside the facility. Due to the uniqueness of the schools and the special qualifications of the teachers who are employed in these schools, the use of this concept may have substantial advantages to local school boards, the federation members and the teachers in other federations employed by those boards.

Incidentally, the significance of September 1, 1985, is because a significant number of schools are beginning to be transferred by that date and we do not wish to have those teachers discriminated against.

In conclusion, the position of the Federation of Provincial Schools Authority Teachers is one that does not oppose the spirit or intent of the bill to extend public funding to separate school boards. We only ask the same protections and guarantees that the government seeks to provide for other teachers. Thank you.

The Acting Chairman: Thank you, Mr. Cowden, and I thank you for persevering in spite of the hilarity that has been leaking in from the corridor.

10:50 a.m.

Mr. Allen: This brief is a precisely focused one and I think calls for a focused response. The first question I have is with regard to your teaching body across the provincial schools. Are you all certified teachers?

Mr. Cowden: Yes.

Mr. Allen: Are your qualifications evaluated in the normal way, as they would be by any school board?

Mr. Cowden: Yes.

Mr. Allen: So there is essentially no distinction between yourselves and any body of teachers that is hired by a public board in this province.

Mr. Cowden: We are all qualified teachers with the necessary degrees and qualifications to teach.

Mr. Allen: Clearly, it is incumbent upon this committee to take the amendments that have been proposed to the bill and consider them in due course, but given the nature of the timetable these teachers are working under with respect to the transfer of Provincial Schools Authority schools, I wonder if I might be permitted to make a motion that this committee send this brief forthwith to the Minister of Education (Mr. Conway), requesting it receive the minister's urgent attention and early action.

It seems to me that whatever the ministry can do at this time to begin responding to the very sensible and realistic proposals of the Federation of Provincial Schools Authority Teachers would be to everybody's benefit. I find it astonishing that those in the immediate employ of the government should be less protected under school transfer situations, such as we are contemplating under Bill 30, than those who are part of the provincial public school system. If I might do that, I will make the motion now, or if you so rule, I shall table the motion formally in writing at our next sitting.

The Acting Chairman: I wonder if I might get the reaction of the committee to the procedure Mr. Allen has suggested. Is there any disagreement?

Mr. Gillies: I not only agree with both the procedure and substance of Mr. Allen's motion, I would be pleased to second it right now.

Mr. Reyecraft: On a point of order: The custom of this committee to date has been to accept the tabling of motions as opposed to their making. I certainly would concur with Mr. Allen's second suggestion that the motion be tabled and notice be given at this time.

Mr. Epp: I would concur with that. I think we can deal with it, maybe early next week, and that would not lose any great amount of time. The committee can still go along with the spirit of what Mr. Allen wants without dealing with it now.

Mr. Allen: I am also cognizant that serving notice gets to the minister pretty fast, too.

Interjection: By the usual channels.

Mr. Epp: I am sure the telephone is already ringing.

The Acting Chairman: If I may, from the chair, my understanding is the procedure is as Mr. Reyecraft has suggested. However, I can assure you the ministry official who is here has heard the sense of the motion that will be tabled and the practice of the committee has been to approach it that way. As you might appreciate, a very large number of suggestions have been made to this committee, some of which are not appropriate to be included in legislation, but many of which may be. If you would like now to continue with your remarks, we will table the motion and have confidence that the sense of it will find its way to the minister.

Mr. Allen: I do not have further questions. I think the teachers of the Provincial Schools Authority are of equivalent standing in their profession and the case is fairly before us. I have

no special additional questions and I will give way to other members of the committee. I will be giving a written motion at the next meeting, next Monday.

Mr. Gillies: I certainly do not intend to prolong this unduly, except to tell you that, at least on first reading, I think your request is eminently sensible, reasonable and equitable. As an individual member, I am very proud to represent dozens of your members at the W. Ross Macdonald School in Brantford, many of whom are friends. I know of not only the equivalent qualifications of many of those teachers in a special institution of that type, but also the extraordinary qualifications of many of your members teaching the visually impaired or the hearing impaired. I want to tell you of my strong support for what you are proposing, whether it be by way of the amendments you have proposed or equivalent amendments.

I think it incumbent on our committee to make sure the members of this federation have exactly the same protections that will be afforded all other teachers under Bill 30.

The Acting Chairman: Thank you for bringing those specific concerns to our attention.

Mr. Cowden: On behalf of our teachers, thank you.

The Acting Chairman: The next deputation is from the Completion Office Separate Schools, exhibit 639. Would you please make yourselves comfortable and start by introducing the members of your delegation. I would like to congratulate the committee; we are now 28 minutes behind.

COMPLETION OFFICE SEPARATE SCHOOLS

Mr. Riley: Thank you, Mr. Chairman, for the cue that we are 28 minutes behind time and thank you for this opportunity. I would ask the members of the delegation to introduce themselves, starting on my right.

Mr. Duffey: My name is Joe Duffey and I am the president of the Ontario Separate School Trustees' Association.

Mr. Fauteux: I am John Fauteux and I am president of the Ontario English Catholic Teachers' Association.

Ms. Sweeney: I am Catherine Sweeney, and I am president of the Ontario Separate School Business Officials' Association.

Mr. Flynn: I am John Flynn. I am representing the Ontario Catholic Supervisory Officers' Association.

Mr. Riley: My name is Tom Riley, and I carry the designation of director of the completion office. The completion office is explained in the brief.

In order to spend the maximum amount of time on dialogue and in the knowledge that you have already read the brief, I shall touch on only a few of the main points. Our brief is strictly on Bill 30 rather than dealing with any philosophical background.

The goal of the associations you see represented is simply to complete the separate school system with the minimum of dislocation and to continue to co-operate with the Ministry of Education for Ontario and boards of education.

We support Bill 30 and the six principles enunciated by the Minister of Education. We think the bill as it stands is fair and goes a long way to meet the needs of all the participants in the process.

We think the definition section of the bill is adequate, but we could understand a desire on the part of the committee to add definitions where they would be helpful, and we have given some examples. The business of "the annual rate of salary not less than"—in other words, "red-circling"—and "resident secondary school pupil" and items such as "advancement" might be defined if that would be helpful in allaying fears.

With regard to the election by a separate school board to offer secondary programs, we like the open-ended nature of that because it allows this process to take a long time to evolve. It will take some time to negotiate viable arrangements and to provide separate secondary schools in areas where there is only one secondary school or in very small areas in the province. Indeed, there may be areas where that is not possible even in the long run.

11 a.m.

With regard to trustees, we have made certain observations. We would only draw your attention to the position of francophone representation on all boards. We feel very sympathetic to that. We regret that it has not been done at the same time as Bill 30, and we look forward to the reintroduction of a bill that will ensure minority governance for minority schools.

An area that has been of great concern to you is that of staff placement. The intent of this section of the bill is clear, praiseworthy and just. In this regard, we are committed in the name of social justice to fulfilling the spirit as well as the letter of the law. However, there are some modifications which we feel would aid in this process.

Numbers of positions for supervisory officers, teachers and support staff should be designated before actual persons are named. Volunteers should be provided for and should have all the rights and privileges of designated staff. We would hope that some provincial funding would be provided for retraining and, in the case of teachers, the granting of letters of permission while retraining is taking place. There should be provision for a teacher to decline a position with a separate school board on grounds of conscience without the loss of employment rights.

Above all, the conditions laid out in the bill should be basic. Any agreement superior to those provisions, arrived at by local negotiations among boards, affiliates and unions, should supersede those arrangements. We would like to see that encouraged. In addition, all arrangements for designating and transferring staff should be reciprocal between the systems.

In the section on arbitration, we merely say that several people have commented on the need for clarification, and we support that.

We will move on to access for students. We want to get that in the record by quoting it in full.

All boards have an absolute obligation to provide for their resident students. Totally open access could interfere with the fulfilment of this obligation. Depending on local circumstances and possible fluctuations in enrolment, it could make planning difficult for both branches of the system.

The goal of ensuring that students have access to programs they need must be achieved by guaranteeing access to a student who demonstrated such a need. That is missing in the bill at the moment. That could be done quite easily. In other cases, the present provisions of the act as they are set out for boards of education would prevail.

With regard to exemptions from religious education and religious exercises, there is logic in differentiating between non-Catholic students who have to attend a separate secondary school to obtain an education and those who choose a separate secondary school in preference to a nondenominational secondary school. The latter group, we assume, are choosing for the difference, and the place given to religious education is part of that difference. A rule of thumb would be that for those attending by necessity, there would be automatic exemption but entry to a religion program upon request, while for those who are there voluntarily, the expectation would be participation but exemption upon request.

With regard to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, we think that body has a great deal of credibility and expertise and is capable of the tasks set out for it. However, in the whole process we feel the place of regulations made by the minister is missing. People seem to want either to put everything in the bill or leave everything to the commission. In fact, many of the detailed matters could be dealt with by a reference in the bill and the promulgation of appropriate regulations.

All arrangements and procedures governing the transfer of property and personnel between systems should be designed to be reciprocal.

We are grateful to the members of the social development committee for this opportunity, especially since we are standing between you and lunch. We now leave ourselves open to your questions.

The Acting Chairman: My congratulations to you for a new speed record established in getting through that brief.

Mr. Gillies: I might say that at this point you are standing between us and thinking about lunch. There is still another delegation standing directly between us and lunch.

I also want to thank you for an excellent presentation. As a strong supporter of Bill 30, I none the less have a bee in my bonnet this morning which, if you were here a bit earlier, you may have heard about. I am going to ask it again.

The Acting Chairman: They were here.

Mr. Gillies: They were here. Some members of the committee were somewhat taken aback last night to hear an allegation by the Canadian Union of Public Employees that the Metropolitan Separate School Board does not hire non-Catholic secretaries in its system. The suggestion was made that this extended into other nonteaching staff.

Having said that, they have undertaken to provide evidence to the committee that this is the case. Obviously I cannot state it as fact, but I would like your comments on that as a group of Catholic educators representing the whole province. I have reason to believe that is not the case across the province; I cannot believe it is, but I would very much like to hear your thoughts on that.

Mr. Riley: There are two things. I have reason to believe that would not be the case across the province. We cannot speak for a particular board; we speak generally. My understanding is that it is

not legal, and I do not think it would be applied to nonteaching staff.

Mr. Gillies: Thank you. Would you comment on whether persons applying for nonteaching positions with any board of education, not just a separate board, should be asked their religious faith or affiliation?

Mr. Riley: I do not believe so.

Mr. Gillies: Thank you very much on that.

My final question is whether your body might provide the committee with some further information on what the hiring practices of your boards, or a representative sample, would be in this regard. I have already been phoned by one separate director of education telling me that in his board this is absolutely not the case, that they have more non-Catholic clerical and support staff in their system than Catholic. None the less, until we have this matter cleared up, I would appreciate any information you can give us.

Mr. Riley: We will check it out. I could give you one small sample. In my two capacities, I happen to have a secretary at each place. Neither secretary is Catholic.

The Acting Chairman: Ms. Sweeney, do you want to add something? I see you in some agitation there.

Ms. Sweeney: I am from the Belleville area, and it comes as a surprise to me, especially if you were in Kingston. We have a good understanding, and there is no such thing in our board.

Mr. Gillies: That is what I would have expected. We have had nothing to substantiate the charge as of last night except one Canadian Broadcasting Corp. radio report. I do not know whether any members of the committee heard that this morning. A reporter said on air that he phoned the Metropolitan Separate School Board and was told that what CUPE said last night was substantially correct. I am looking forward to any clarification of that.

Mr. Riley: CBC is very reliable.

Mr. Gillies: I think I will pass on that one, Mr. Chairman.

The Acting Chairman: That is a matter for a different committee.

Mr. Allen: I see some familiar faces. These people have been watching this process very carefully at a short distance. It would be very interesting to have a seminar with them on their observations of the process to date, but I will not tempt them into it. None the less, here we are.

The Acting Chairman: Is that a motion you are tabling, Mr. Allen?

Mr. Allen: Yes. I knew you would rule that out of order if I ever got started on it, Mr. Chairman.

To pick up a couple of items, since you have raised them, I gather from your brief that you have no problem with the notion of building in or trying to facilitate some retraining provisions for transferred teachers.

Mr. Riley: That is correct.

11:10 a.m.

Mr. Allen: No problem?

Mr. Riley: No problem at all.

Mr. Allen: You make reference to a kind of conscientious-objection possibility. We have all asked questions about that from time to time. The large question we all have at this point is how it would work.

Clearly, those clauses can easily be abused, but as persons who have some sensitivity to conscience and some experience in collective bargaining and so on, I wonder whether you have some observations as to how a conscientious-objection clause might work satisfactorily for all parties.

Mr. Riley: Perhaps I am too trusting, but I would venture to say that it is extremely unlikely, teachers being as they are throughout both systems, that a teacher would whimsically turn down a position and a teaching challenge. My feeling would be that I would like to see it tried and to take remedial action if there were evidence that it was being abused. Frankly, I do not think it would be abused.

I think a teacher who conscientiously objected would have good grounds for doing that and would do it in conscience. I would simply like to see it tried. If there were evidence of abuse, then we would have to change it.

Mr. Allen: That was a very practical answer, I must say: Work out problems as they arise.

Perhaps you can spend a word or two for me on the access question and planning. We have gone around the access circle quite a lot, but no one has really focused our minds on the planning problems that open access would entail for both systems.

Mr. Riley: Mr. Reycraft has drawn attention to the timetabling problems in secondary schools. The secondary school planning cycle really begins at least in December of one year for the September of the next. Usually a principal can be heard to make the remark that in December he has worked for this year and, as soon as that is over, he is working on next year.

Any kind of projection for students and programs and teachers would depend upon students making a declaration early enough. That is why we would like to see a date in there and the business of planning for accommodation being available and planning your timetable so you can meet a maximum number of needs. We see both those things as being necessary.

Perhaps I could also address the space availability option in the secondary school. If you get an early enough declaration, you can work to make the space available. However, that is not always possible. For various reasons, students will come late. This is where I think a regulation could be put in place. It would state that the student would meet with the guidance department, for example, and work out, within the bounds of the existing enrolments, timetable and specialized rooms, which program the student could be offered.

Usually, students will choose seven subjects and the eighth one is a bit flexible. If an arrangement could not be met, then the student in a sense would not be getting the program he or she wanted and space would not be available for that student. But there would be a negotiation rather than a "no space is available" kind of thing.

On the other hand, it can genuinely happen that all your science labs are filled. I work with a board too, and we have one school with 22 portables outside. You can find a roof under which to put a student, but that is not to say you will find a place for him in a science class, a physical education class, etc. There are practical problems there.

Mr. Allen: Thank you. That does help.

On the question of exemptions, I read the way you have put the exemption question with regard to participation in religious studies and religious exercises as providing a little more latitude than the bill does.

The bill now says specifically that those who go to a Catholic or separate school by choice may be exempt. There are those who read that as giving an opportunity for either a reluctant or grudging refusal, or perhaps even an outright refusal, to a legitimate applicant.

What I hear you saying is that you would be happy with a phrasing there which states something to the effect that there is an expectation, given the nature of the system, that if you come by choice, there will be participation in the full range of the activities, but that, notwithstanding all that, if there is an urgent desire for exemption, it would be granted.

Mr. Riley: That would be our position. Also, as we all know, teenagers change. What is acceptable to young persons in grade 9 and in grade 12, when they have come back to themselves again, may not be quite as acceptable in grade 10 or 11. They may want to say, "I am a non-Catholic, and I do not want to take a religion course." We would see that as being appropriate at that time for such a student's conscience.

Mr. Allen: I find that a significant restatement of the question.

With regard to the growing practice of contracting out for services in a broad range of the activities that each school system necessarily requires, I guess most of us have a feeling that there is something problematic about that in that it systematically depresses wage levels. However, from the point of view of a school system, it also troubles one that it breaks up the unity of a school's activities and its capacity to control its own personnel for its own purposes in a communal way.

Do you as a group have a problem with contracting out? We hope the resources will be better for your system and for both systems down the road. However, given that the excuse is often lack of resources and that new resources are coming on stream for the separate schools, would you be happy to see us provide some device in the bill which would limit or control contracting out in the school system of Ontario?

Mr. Riley: I sense there may be several reactions to this. First, strictly speaking, I do not know whether it is appropriate to this bill.

Mr. Allen: That may be.

Mr. Riley: Second, a number of us do have problems with contracting out, and not only in the communal aspect. You have heard repeatedly about Catholic schools attempting to be a community. It is hard to be a community with mercenaries. That is a strong word, but in a sense that is what people are who come in on that basis.

Also, all work should be meaningful; that is a basic tenet of Catholic social teaching. It is easier to make work meaningful if the caretaker, the secretary or whoever is part of a team than if that person is not part of the team. In the sense that their work is as important as mine, I would like to see them as part of the team.

Other people may want to react somewhat differently because there is probably a difference here.

Mr. Fauteux: From the point of view of the Ontario English Catholic Teachers' Association and as a member of COSS, the aspect of

secondment, if there is to be a continuing relationship within a school board, is not acceptable.

We have suggested previously to this committee that secondment is a viable alternative if there is a particular program a school board wishes to establish to have an activity that requires short-term hiring and the resources are to be found in a public school board or some other educational institution from which you wish to purchase a teacher's work.

However, it is not acceptable to think of secondment as a method of taking care of the designated teachers or to suggest their continuing employment within a separate school board could be satisfactorily resolved by the secondment procedure.

Mr. Allen: That is an interesting rider on the larger question. I think phrasing it that way is very important.

Mr. Fauteux: OECA, even in its own provincial office, seconds teachers regularly, but for short-term work. When we have to hire someone with the idea that the person will have permanent employment with the association, secondment will be rejected.

11:20 a.m.

Mr. Allen: Thank you very much. I have other questions, Mr. Chairman, but I will leave them and hope other members will ask them.

Mr. Davis: I apologize for having to leave during the brief, but I read it before I left.

I have two questions. One question has to do with accessibility of teachers to the separate school system. If you were here before you have heard me ask this, but I will ask it again.

I think we have to articulate a sense of compromise, justice and fairness as we look at the bill's implications for the society we live in. Not just its immediate impact, but the impact we are going to feel as citizens of Ontario for the rest of our history.

Do you believe it is fair and just that Roman Catholic teachers graduating next spring or the spring after from teachers' college have two opportunities for employment in the sense that they can put an application in to the Roman Catholic separate school and to the public school, whereas non-Catholic teachers are restricted in their career search to just one jurisdiction and that is the public educational system?

Understanding now you are publicly funded and understanding your present hiring policies in grades 9 and 10 are an extension of the hiring policies of the elementary panel because that is

the jurisdiction grades 9 and 10 are under, as I understand it—

Mr. Riley: Yes.

Mr. Davis: I know you do not split them, but grades 9 and 10 will now change and become part of the secondary panel. I am only talking about grades 9, 10, 11, 12 and 13.

Mr. Riley: I would like to answer your question directly. A lot of people have avoided doing that and have then put in the twirly bits as it were.

In an absolute sense it is not fair and just. However, I think we live under certain circumstances. There is a whole constitutional matter that will be decided elsewhere about whether we are extending the junior-kindergarten-to-grade-8 thing forward or whether we are setting up a different system.

One of the most difficult moral questions, as you know better than I, is when you have to choose between what appears to be two goods. On the one hand, there is the good of absolute justice and the fairness of two people approaching systems and having an equal opportunity for employment.

On the other hand, there is perhaps a more restricted good, but from our point of view it is a good, in that as the system is set up it serves the needs of a certain number of students. There is a constituency for that system, parents; who support it with particular expectations in mind that it will maintain certain values, a hierarchy of values. Combined with that is the perception that it is best and most easily done if the people most in contact with the students are Catholic, or maintain certain values.

It seems to me in this argument there is the problem of nibbling at both ends. There is the idea of lifestyle being something that is exempt. I know we are talking about designated teachers, but still there is a spillover. On the other hand, there is completely nondiscriminatory hiring. I think when you go at both ends, you end up with no kind of distinction. I do not think that would be acceptable to the public who support that system. They would see it as a good to maintain those values.

With that in mind and with the social and economic consequences in mind, I would say there needs to be retained some right to some discrimination, however that is done, in terms of having largely Catholic teachers in contact with students. I think that given time, and the interim period is something that perhaps can be legislated differently, if a certain number of students choose to go to Catholic schools and they

produce a certain portion of student teachers, and the public schools do the same, then you will have the systems feeding teachers in, with some crossovers. I think there will always be some crossovers. There are at the moment. So you will have mostly Catholic teachers in Catholic schools, with some non-Catholics; and those in public schools will be non-Catholic with some Catholics.

I think we do not have enough faith in that kind of process taking place. If you put it right to the bottom line between those two goods at this time in history and ask do we need some protection in hiring, I think we need some.

Mr. Flynn: Thank you for a marvellous answer, Tom. It was a very tough question, sir. I would agree totally with what Mr. Riley said about the fairness. There is no question about that.

The issue is not black and white. This year I had a number of teachers approach me because of a position available in our secondary school, which was not the kind of position that would ever be offered in the board of education. Those persons, depending on their qualifications, do not have equal access. Such a person has the opportunity, because of his theological training, etc., only to approach the Catholic system for a job. It is not that all the teachers can go to both systems and only some can go to the Catholic system. Some people can go only to the Catholic system, because their particular qualifications would not allow them to teach on the board of education.

Mr. Davis: Was he certified by the Ministry of Education to teach?

Mr. Flynn: Yes, he was qualified to teach.

Mr. Davis: Did he happen to be a clergyman?

Mr. Flynn: No.

Mr. Davis: Why could he not teach in the public system?

Mr. Flynn: Because the particular things that person wanted to teach—

Mr. Davis: Were not available.

Mr. Flynn: They were not available and would not be available or ever offered in the board of education, which is religious education based on the—

Mr. Davis: It may be available.

Mr. Flynn: We should hope.

The Acting Chairman: Mr. Davis, speaking of predictions about course changes in the public system—

Mr. Davis: I have been listening to Mr. Allen for the last—how many months have we been doing this, nine weeks? It seems that at least every second day he asks the question. I would assume that may be a practicality.

My second question deals with quality of education. The various sectors of education, be they teachers, trustees or parents who have come before us, are developing a concern, which perhaps we were not aware of, about those communities where there is just one high school.

As we begin to explore that, we realize we must wrestle with a thing called quality of education, as well as opportunity. As we have been touring the province and people have been talking to us, we are struggling with the optimum size for a school. There is some kind of agreement that 500 becomes a magic number. Whether it is or is not still has to be debated. That seems to be the number that is articulated when you finally get them down to the very basics. They say with that number you are able to offer quality education and a choice of subjects to students.

As was articulated by that group of teachers a few moments ago, that single high school has a social value to the community. The parents and educators have concern, as we all have, for the students. With that in mind, do you think there is any merit in developing some kind of guideline or verbal policy, which does not appear in legislation, saying that in communities under a certain number—for discussion, we will use 500—the separate school will not create a coterminous secondary separate panel in that school?

Conversely, the public system will forward a series of things which will help, not necessarily totally bring about the catholicity and ambience of a Catholic school but begin to at least create it where it is not now. These could be things such as religious educational programs, a qualified chaplain on staff, opportunities for the celebration of Eucharist and the great feasts of the church. I have not wrestled this all out. Where possible, as the students are divided, in those areas of program delivery which have something unique to the Catholic theology or the Catholic presence, that would be developed. How do you react to that?

Mr. Riley: I react by saying there are things in heaven and earth that have never been dreamed of in your philosophy, Horatio.

The Acting Chairman: That is what Hamlet said.

11:30 a.m.

Mr. Riley: Thank you. I confess I am a Scotsman with an Irish name, and I came to Canada as an English teacher; I do not know how that gets put together.

I think, though, the essence of your question is whether we should have some kind of careful constraints around this. Yes, we should. Going back to the original statement on this subject—I read it a few times—it was pretty prophetic. It touched on almost every difficulty that came up. Only in one area did I find it really misleading; the three-year kind of cycle. We will go grades 11, 12 and 13; people have in their minds three years and then the thing is over. It will not be and it should not be.

We need criteria of some kind; but we also need process, that is even more important. We need a process which would probably be spelled out, again going back to regulation, saying that in such and such a time certain consultations have to take place, certain input has to be received from the public, certain meetings have to be held, and these criteria or a combination of these criteria, whether size, language mix, or availability of accommodation, have to be met. The Minister of Education (Mr. Conway) has to be satisfied with those before a move is made.

All of that will hold people up, make them think and take their time. That is where I come to the business of things on heaven and earth. We do not know in five and 10 years' time what the delivery of programs will be or even what the programs will be. We have to be open; and rather than saying 500 say no, by then it may be 100 or it may be individual. But there is a process, that is what is really important.

Mr. Davis: Thank you. I appreciate that.

Mr. Reyecraft: I was somewhat disappointed to hear Mr. Fauteux's opinion on secondment. I see some contradiction between that and what is stated in the brief on page 3, where they speak of local arrangements superseding any others. I would like to explore the matter a little bit further.

It seems to me in this whole matter of transfer of displaced staff that the separate schools in this province would be better served if among those transferring were teachers who were highly qualified, highly competent and experienced. We recognize that in the public system, because of their experience and seniority, those teachers have a great deal of security and therefore may be somewhat reluctant to relocate to another system, even though they have guarantees of seniority in that system.

If those teachers were offered the option of teaching in that system for a year or a few years, with the option of returning to the public board if the situation was not an acceptable one, those teachers might be much more willing to volunteer. Without that kind of option available to them, I sense that many will be reluctant to take the chance. I would like to invite Mr. Fauteux's reaction to that statement.

Mr. Fauteux: I am not exactly sure, in the context of your question, what security they are afforded in a public school system that the separate school system is not prepared to grant. As a teacher, my security comes from the fact that I feel comfortable in my school surroundings, with the program I am prepared to teach and with my colleagues who support me.

My colleagues support me because I am an equal, not someone who has come to the system for a short term where I am here today, but by the way I may be gone next year. I believe that teachers, not just because of the completion of the separate school system and the debate that centres around the transfers of teachers, but teachers over the years have moved from school system to school system, be they public or separate. As they moved they took with them to their new employer everything from sick leave credits to special arrangements contained in their contracts.

Teachers should feel they are full members of a welcoming new school community. To be full members, they should have a contract guaranteeing their seniority, promotion, sick leave and salary rights. We have heard several presentations here that show that secondment does not afford those rights.

If a teacher is asked to come to a separate school board to establish a new program, that is an entirely different situation, one that involves a borrowing of services. That is acceptable under those conditions, but in the long term I want to know the colleague next to me has the same commitment to the school as I do and will support me. I will only feel that strength because I am his or her equal.

Mr. Reycraft: As a separate secondary school teacher you speak about accepting teachers from the public school system. I have a perspective on the other side. I had 23 years teaching experience in the public system, 18 of them at Glencoe District High School. I was at a point in my career that I might have welcomed a challenge such as I sense would be presented in moving to the separate school system. Yet because I and individuals in similar situations do not know

exactly what is involved in teaching in separate secondary schools, asking them to volunteer to make that move without any option of returning should the situation not prove to be a mutually satisfactory one is not going to encourage volunteers.

Mr. Fauteux: I know of several teachers who did not see the situation in that way. They found it acceptable to volunteer to go and sometimes to return from a separate school system. They chose to do so because they knew the privileges they obtained in a public school system were going to be guaranteed to them in a separate school system.

Mr. Reycraft: I am also interested in your reaction to the fact that in several areas of the province arrangements of a secondment nature, whatever the title is, have been arrived at between the local Ontario English Catholic Teachers' Association unit and the separate board and all the parties involved.

Mr. Fauteux: I speak on behalf of the provincial association and I am aware that in certain areas of the province different arrangements have been arrived at. It returns to the notion that solutions are going to be arrived at because individual communities have sought their own. I support that.

I believe the community—and by “community” I mean teachers, superintendents, trustees, parents and business—in the public and separate school systems need to come together to decide what is best for the community. If teachers in individual units have come to a decision for their own community and that is what they are going to support, so be it.

In answering your question, I am looking at the issue in global terms of what is best for Ontario. I answer in that manner both provincially and from my perspective as a provincial president.

Mr. Riley: Can I respond very quickly to that? In other words, we have two goods again: the good in the brief, which supports local initiative, and John's good. Tough luck, John.

11:40 a.m.

Mr. Reycraft: My other question is supplementary to the answer Mr. Riley gave to the question I did not ask; that was the one about access. If I recall, the bottom line was that there still would be need for inclusion of the “where space is available” provision.

Mr. Riley: I think so, but it could be clarified by or augmented with a regulation that would avoid the kind of manipulation people have

implied might take place. Perhaps coming from a growing school board I see a real need; there are some practical problems. However, it should not be a whimsical or arbitrary thing; what is meant by "space available" and the process to go through could easily be spelled out in regulations.

Mr. Reycraft: Do you accept the notion that the existing bill does not allow a separate secondary school to turn away a student whose parents are paying their property taxes to that board?

Mr. Riley: Yes.

Mr. Reycraft: By leaving it in, do we not leave open the possibility that someone at some time may use the "where space is available" provision in a discriminatory way?

Mr. Riley: Whatever you put in the bill somebody could twist at some time; human nature is like that. However, we have to go on the vast bulk of cases, which show that people, thank goodness, act responsibly and that you can trust them.

A taxpayer's child has an absolute right to be admitted to a school. Any student who proves a need for a program in a school should be given that status or be deemed to be a resident student or whatever; that student also has an absolute right to get in. However, students who have that right and students who have signed up in good time and so on should not be inconvenienced in any way by people who turn up saying they want in for some lesser reason and space has to be made or classes have to be overfilled, as those things can happen in timetabling.

I think there is a practical reason for it.

Mr. Reycraft: But if the student who shows up late is a Catholic student you have no choice.

Mr. Riley: Or if he proves a need for the program you have no choice; that is right. Then you have to start splitting sections; and that can be very disruptive in a school. This may sound facetious, but it is not. I did have a student, and you must have had students like this, who said, "I am coming back here this week"—it would be about this time in September—"because my girl friend is here." Do we then start splitting sections and turning around the timetable? I think there is a reality to the thing.

The Acting Chairman: I would like to thank you and your delegation for appearing before us this morning and fielding the difficult questions good-naturedly.

The next deputation is from the Ecumenical Study Commission on Public Education; exhibit 640.

I apologize to you that we have kept you waiting for 45 minutes past your scheduled time. I wonder if you would start by introducing the members of your delegation.

ECUMENICAL STUDY COMMISSION ON PUBLIC EDUCATION

Mr. Palmer: Is all the committee here?

The Acting Chairman: We are here.

Mr. Palmer: It is a pleasure to have an opportunity to come before this committee of the Legislature and address the questions at hand.

My name is Douglas Palmer. I am chairman of the commission for a fourth one-year term. I am a Baptist layman and one of the representatives of the Baptist Convention of Ontario and Quebec. As a retired teacher, much of my life has been spent as a counsellor, principal, school trustee and Christian education teacher and leader.

The material we have given out to you, the yellow brochure, most of you have seen because it was distributed to all members of the Legislature. New members may not have one, although we tried to get you copies. I refer to it because part of our brief this morning concerns it. The inside table of contents, pages 2 and 3, give you a list of the current members of the commission and a concise summary of its position and responsibilities. Fuller details are in this buff pamphlet; I think you all received a copy.

The booklet I have handed out is a summary of the papers that were given at our second-last conference on Religious Education Belongs in the Public School a year ago. We are giving it to all the members so they have a chance to see a little more of our background and understand from where we are coming. We have not yet published anything from the conference we held in May, but some material may be published some time in 1986.

Before I introduce the rest of the people with me, I would like to say there are many opinions within the commission on the extension of funding question. Our churches' positions are summarized in appendix A at the back of our brief.

Since the unexpected and untimely death of Father Pat Fogarty in January 1985, the commission has had no official Roman Catholic representation. Father Raymond Durocher has kindly agreed to remain for our presentation and answer questions you might have on religious education or the extension of funding relating to the Roman Catholic stance.

11:50 a.m.

To introduce the rest of the members of the commission, on my far right is Reverend Stuart McEntyre, one of the Presbyterian representatives. He is chairman of the intersynod committee on public and private education in Ontario of the Presbyterian Church in Canada. He is a representative of the Toronto-Kingston synod of the Presbyterian Church in Canada.

Over to my far left is Father Larry Winslow, one of the Anglican representatives on our commission. He is chairman of the diocese of Algoma committee on public education and a provincial synod appointee to the ecumenical study commission.

To my immediate right is Donald Santor, vice-chairman of the commission. He is one of the United Church representatives to the commission from London; he is the former moral education consultant for the London Board of Education and teaches at the University of Western Ontario faculty of education. I have asked Mr. Santor to read our brief to the committee, and I will turn the presentation over to him at this point.

Mr. Santor: The Ecumenical Study Commission on Public Education is an Anglican-Protestant-Roman Catholic task force concerned primarily with religious education in the public schools of Ontario.

At the inception of the commission in 1968-69, research was undertaken at the request of the Roman Catholic archdiocese of Toronto regarding the question of "the completion of the Separate School System." At that time, the ecumenical study commission was sympathetic to the Roman Catholic request, but the Anglican and Protestant sponsoring bodies never adopted the extension of full funding as their official positions.

From the beginning, the focus of the ecumenical study commission has been religious education, the promotion of the general welfare of all students in the public schools, their rights and the rights of their parents, and defending within this context the beliefs and values of the Christian tradition and of the peoples we represent.

While the Education Act of Ontario and its regulations provide for religious exercises and religious education, most curriculum documents date back 40 years and have fallen into general, if not complete, disuse because they are no longer appropriate for the current Ontario society.

The past 40 years have witnessed a growing ambivalence towards the issues involved. The intervening years have seen Ontario society undergo radical change. Correspondingly, a

vacuum has been allowed to develop in relation to religious studies which has been only partially and peripherally addressed in the area of moral values education.

The ecumenical study commission deems this apparent benign neglect of religious education no longer acceptable. This neglect fuels arguments for the abandonment of the public school system and the establishment of private, religiously oriented schools. The requests for government support of denominational schools before this committee confirm this point of view.

The ecumenical study commission believes much of the controversy regarding the extension of full funding to the Roman Catholic separate schools can be attributed to the way in which the funding policy for separate schools was changed abruptly.

In 1971, then-Premier William Davis declared:

"If the government of Ontario were arbitrarily to decide to establish and maintain, out of public funds, a complete educational system determined by denominational and religious considerations, such a decision would fragment the present system beyond repair, and do so to the disadvantage of all those who have come to want for their children a public school system free of denominational or sectarian character. To embark upon such a policy could not be, in reason or in justice, limited to some faiths and denied to others. Nor could it, in logic, be limited to elementary and academic secondary school systems alone. We would invariably be obliged to proceed throughout all our educational institutions to fragment and divide both our young people and our resources, from kindergarten through post-secondary university studies."

The fears and anxieties expressed by Mr. Davis in 1971 are still shared today by many members of the non-Roman-Catholic community.

Without any formal public consultation, discussion or debate of his intentions, William Davis abandoned this position in 1984 and declared unilaterally:

"It is the government's intention to permit the Roman Catholic school boards to establish a full range of elementary and secondary education and, as part of the public system, to be funded accordingly. This new program will be introduced at the rate of one year of secondary education for each school year beginning September 1, 1985."

To date, the political parties have done little to assure the public that the fears and anxieties of 1971 will not be realized.

The events of the past year have indicated there is considerable, well-founded public anxiety surrounding the proposed extension of full funding to the Roman Catholic separate school system. There is a danger that society may be further polarized around religious differences.

As the year has unfolded, it has become apparent there is much misunderstanding, ignorance and unhappiness surrounding the educational compact as it has evolved in Ontario. Fundamental questions are being asked about the future of education in Ontario. These questions go far beyond the proposal to fully fund the Roman Catholic separate schools.

Nevertheless, the proposal to fund the separate schools has occasioned the raising of these timely, fundamental questions. It is imperative that these questions and others like them be faced and answered to relieve the public's anxiety surrounding the extension of full funding to the Roman Catholic separate schools and to ensure the continued viability of the public school system.

These questions, by the way, arise from the constituencies we represent and are herein summarized.

First of all are the legal and philosophical questions.

Are the requirements of the British North America Act satisfied by the funding of Roman Catholic separate schools to the end of grade 8?

Is the extension of full funding to the Roman Catholic separate schools a violation of section 15(1) of the Charter of Rights, which provides every individual with "equal protection and equal benefit of the law...without discrimination based on...religion"?

Does the extension of funding to the separate schools set a precedent for the public funding of all religious private schools? Does the government of Ontario plan to fund any of them?

If funding is extended to private religious schools, should it also be extended to the religious cults; for example, the Unification Church, the Hare Krishna, The Way International, etc.?

What is the implication of funding a school system from the public purse that denies, for theological reasons, full equality for women?

Will non-Roman-Catholic trustees be permitted to sit on separate school boards to speak on behalf of the non-Roman-Catholic students?

Will the Roman Catholic separate schools continue to be exempted from the Human Rights Code in their hiring practices?

What rights, if any, are denied to the separate school supporters under the present funding policy?

Should the Roman Catholic separate schools be accessible to all students? Will they be accessible to all students?

Will the extension of full public funding place the Roman Catholic community in a privileged position in Ontario?

How can the public make responsible and comprehensive representation to this committee when it has not had access to the findings and recommendations of Dr. Shapiro?

Should the public purse pay for the proselytizing of one religion to the exclusion of all others?

Will the extension of full funding to the end of secondary school promote the religious and, possibly, the ethnic ghettoization of society?

Are there alternative ways in which the aspirations for religious identity can be recognized within the public school system?

If it is necessary for non-Roman-Catholics to attend the Roman Catholic separate schools for any reason, will they be required to take religious instruction?

What is the current pattern of funding for Roman Catholic separate schools in other provinces?

What will be the full additional costs for educating the same number of students in Ontario?

How will the extension of funding affect the educational programs of both the public and separate school systems?

What measures will be taken to ensure there will be no further fracturing of the public school system? Are these measures constitutional?

Can a unified education system satisfy the demands of the Roman Catholic separate school boards?

To resolve the growing dissension in Ontario and to remove what appears to be privileged treatment for one religious community, we believe these questions must be answered to the public's satisfaction.

12 noon

In the present situation, the government faces a cruel choice. It can proceed with the funding in an ad hoc manner and leave the fundamental questions unresolved. This promises to leave a substantial portion of the population, perhaps even a majority in the province, unsatisfied. The other choice is to delay the funding proposal and establish a public process whereby a fundamental review of education policy can take place, based

on a government white paper and followed by full public discussion.

The second choice is our preferred choice, but we recognize it will pose problems for the Roman Catholic community. It calls for a further delay in the realization of its cherished goal of a fully-funded separate school system. To our Roman Catholic brothers and sisters, it may appear the representatives of the other churches are now backing down from the position adopted in 1970. While that may be true in the case of some, it is not so in the case of all.

The majority of the commission believes a fundamental review of educational policy is in the best interests of all segments of our community. It is for this reason we call for a delay and/or a withdrawal of Bill 30, so all issues can be studied and any changes in funding can be brought forward in the context of a comprehensive government white paper on education.

We are very aware of and sensitive to the frustrations and negative feelings this may arouse in the Catholic community. It pains us that it is so. We ask for further acts of understanding, patience and charity on their part.

The Ecumenical Study Commission strongly urges the Ontario government to establish a public process whereby a fundamental review of educational policy, including public debate and discussion, can take place. In our view, this might best be done on the basis of a government white paper for the following reasons.

As the debate and events surrounding the funding proposal have unfolded over the past year, we have become conscious of two ways of approaching the matter. One way we will call the historical-legal approach. According to this approach, groups argue their position on the basis of historical precedence and legal and constitutional guarantees. It tends to foster an ingrown me-first attitude. Each group tries to safeguard or protect its particular interest and then looks at the claims of others from that perspective. The government becomes the arbiter between these competing viewpoints. This is the approach which has been largely adopted during the past year and which has led to the present impasse.

Another approach we will call the conciliatory approach. This approach is based on the kind of town hall model where all the interests in the community sit down together and say, "Given our separate backgrounds and interests, but recognizing our common concern for living amicably together and working for the welfare of all persons in our society, what consensus can we

reach on educational policy for this province which will be suitable for this time and the near future and, we hope, the far future?"

The historical dimensions must be taken into account, but perhaps we can transcend our history and develop new models for a new situation. This is the approach we favour.

We have suggested that a government white paper be the basis for this approach. There are other possibilities—a royal commission, or a government-sponsored process of consultation through conferences, similar to the recent federal government conferences on the native peoples and the economy.

If the extension of full public funding to the Roman Catholic separate school system is upheld as constitutional and if the integrity and viability of the public school system is not preserved and even enhanced, several of the major Christian denominations may be compelled to respond to the increasing pressure of their membership for their own separate schools. Therefore the Ontario government is strongly urged to uphold the ideal of public schooling and make any necessary changes in its philosophy, regulations and curriculum to achieve this end.

In the interval, the Ecumenical Study Commission urges the Ontario government to immediately enhance education by the development and implementation of a religious education program from kindergarten to grade 12. From our point of view, religious education, the teaching about religion, must be distinguished from religious nurture, the indoctrination of a faith position. The commission strongly advocates education about religion for the following reasons.

First, religion is one of the few areas of study that deals directly with the purpose and meaning of life. Religion is a dimension of human experience for which roots can be traced unbroken to the dawn of history. Religion, as represented by the Jewish and Christian traditions, is one of the major forces that shaped the historical development of Ontario.

Religion, along with the humanities and the sciences, is one of the fundamental ways of viewing and understanding the reality of the human experience. Religion is essential for understanding many value systems and behaviour patterns of a multicultural and multireligious Ontario. Religion must be understood in order to reduce the cultural barriers in a pluralistic society and prevent the social and religious ghettoization of our communities.

As we have through the years, we urge the government of Ontario to act now and establish a comprehensive religious education program that meets the needs of our multifaith community and is consistent with the principles of religious education set forth in our brief to the Minister of Education in December 1984.

We would like to draw some of the more significant points of this brief to the attention of this committee. The Ecumenical Study Commission strongly believes it is incumbent upon the Ministry of Education to reaffirm, through positive action, the recognition that the Judaeo-Christian heritage has been and continues to be the foundation of the public schools in Ontario.

"The Christian church was the mother of education in Ontario...All through the early history of education in this province we find that the pioneers were churchmen. It was these men who brought about the formation of the very public school system which we enjoy today. Perhaps the most prominent among these was Egerton Ryerson. He strongly advocated religious training in the schools, but steadfastly maintained that this training should not preach or stress any particular dogmas or sectarian practices. He said, 'To teach a child the dogmas and spirit of a sect before he is taught the essential principles of religion and morality is to invert the pyramid.' We must not cast out this important part of our public education system. We should improve it. Religious education should not be the persuading of children to accept religious faith but the imparting of information about religion."

You notice, of course, this was excerpted from a pamphlet produced by Tom Wells when he was the Minister of Education.

As representatives of the contemporary community of that early constituency, the Ecumenical Study Commission believes it is incumbent upon the government of Ontario, through the Ministry of Education, to preserve the historic interests which the Christian community has in the public schools of Ontario, that is the recognition that the Judaeo-Christian tradition is the foundation of Canadian society. Anyone without knowledge of the Judaeo-Christian culture is unable to appreciate and be a part of contemporary culture.

The Ecumenical Study Commission wishes to state clearly that the Anglican, Protestant and Roman Catholic communities of Ontario expect that the moral tone of the public schools in Ontario will be consonant with the Judaeo-Christian values and principles. The commission believes it is the high duty of public education to

foster character building and learning what it is to be truly human and compassionate. This is best achieved through a clearly understood, continuously pursued universal program pervading every curricular and extracurricular activity in each school.

This program, which is to be distinguished from a course of study, should be carefully integrated incidentally through the system, having as its focus character building, ethics, positive social attitudes and moral values and principles. The Ecumenical Study Commission further believes the multicultural nature of society must be fully recognized and affirmed with the commitment by the Ministry of Education to promote understanding and harmony among the multifaceted faith groupings in the largest community through an integrated educational process.

12:10 p.m.

The Ecumenical Study Commission believes that presentation of cultural, moral or religious history, values or principles should have as its essential aim the communication of objective, factual and critical information about the subject matter respecting the developing nature of the learner. We believe one of the primary functions of education is to assist the development of the whole person, free from prejudice and ignorance through factual knowledge and compassionate understanding, fostering character development, assisting the student to learn what it is to be truly human and caring in a global village.

Such instruction, we believe, should be carried on in a nonsectarian, nondogmatic atmosphere. There should be a willingness for both teacher and student to look, to see, to listen and to consider.

The Ecumenical Study Commission believes all students should have the right to learn to think religiously, as well as logically, objectively and scientifically. In an atmosphere free from indoctrination, students should be free to become familiar with various points of view that are sincerely held, and to understand as accurately as possible why people hold these views. Students should be assisted with the natural search for meaning raised by such questions as, "Who am I?" and "What is life all about?" and "Is death the end?" Students should be free to talk about life's problems and should be encouraged to try to see the religious dimensions underneath the surface in the light of the religious heritage of humanity.

The study of Judaeo-Christian religious knowledge, other world religions, as well as various cultural backgrounds and moral values and

principles, should spring from their own concern, their own personal quest for meaning. Students should be free to study, at the appropriate level, the whole range of factual material about the beginnings of religion, the place of religion in our culture, the various religious phenomena they will meet and other religious groups. Students should be free to explore what are called the ultimate questions and to see what sort of answers people have suggested. Students should be free to see what is a profitable line of inquiry and what is not, and to understand something of the language religion has used, symbolic and pictorial. Students need something to think about and something to think with.

In conclusion, we reiterate our point of view: religion has been, and is, an important factor in history and in the growth of civilization. Canada is part of western European civilization, with important roots in the Jewish and Christian religious traditions. Canada's institutions have been influenced profoundly by this heritage and by individuals and groups who lived out these traditions and continue to do so.

Now, as people from other ethnic groups and religious backgrounds take their place in the cultural mosaic of Canada, all students in the schools of Ontario need to be encouraged to grow in their understanding and appreciation of the beliefs and traditions of all who call Canada their home. We believe everyone should have the opportunity to know the story of the Judaeo-Christian tradition and the religious story of others in their community, in Canada and in the world.

The Ecumenical Study Commission on Public Education believes no educational system worthy of the name should neglect the study of religion, nor fail to give attention to the religious heritage of humankind. The approach put forth by the commission does not involve nurture or indoctrination in a particular faith. That, we believe, is the prerogative of the home and the religious community. The educational role of the public school system should complement the nurturing role of the family and the faith community.

In the light of these comments, the Ecumenical Study Commission urges the government of Ontario to make religious education a core curriculum requirement in both the elementary and secondary panels. If this essential area of spiritual and moral studies continues to be neglected in the next decade, the public school system will quite literally fragment, and Ontario will suffer accordingly. Faith groups within the

province are growing justifiably impatient with an educational system which tends to preclude such a vital area of human experience.

While the Ecumenical Study Commission recognizes the attempt at fairmindedness through the extension of full public funding to the Roman Catholic separate school system, the majority of sponsoring bodies do not agree with the government's present proposal. Nevertheless, the commission remains committed to a public education system which meets the needs of a pluralistic society and is accessible to all, and to a comprehensive program in religious and moral values education in the public school system.

It is, therefore, essential to safeguard the public school system as the cornerstone of a nondenominational education system, universally accessible to all, publicly funded and fundamentally important to meeting the diverse needs of a pluralistic society. The present legislation provides no guarantee against the irreversible fracturing of the public school system.

In addition, it is unwise for the government to rush into fundamental changes in the structure of the school system without making known the legal, social and economic implications. To use the words of Premier David Peterson, the government and political parties seem committed to a policy of "ready, fire, aim" and not "ready, aim, fire."

Turning to the appendix, and dealing first with the position of the Anglican Church: the bishops of the Anglican Church in Ontario, with the concurrence of the executive council of the provincial synod, have urged the Ontario government to delay the extension of funding for two years, pending the provision of adequate information and of full public discussion about its implications for this pluralistic society. Such a time frame would allow the implications to be fully researched and publicly debated and allow the courts to rule on its constitutionality.

The Baptist Convention of Ontario and Quebec calls upon the Ontario government: (1) to freeze the implementation of the extension of separate school funding until full, normal and due process is given to the proposed policy change in the Legislature; (2) to seek a constitutional referral on the question of extending public funding to the higher grades of the Roman Catholic separate school system and that it freeze all implementation until the courts have ruled on the subject; (3) to establish a commission consisting of representatives from the government, the various faith communities, public and separate teachers' federations, boards of educa-

tion and student council representatives; and (4) to direct this commission to undertake the following: to establish cost estimates for the proposed extension of funding and examine implications of this action for the quality of service; to design a process whereby teachers' and other employees' right to work in either system can be established and protected and students may be guaranteed the right of access to either system; to examine the implications for funding of other private schools if separate school funding is implemented; to consider integrated school boards, democratically elected, responsible for all education within a geographical area.

The Synod of Toronto and Kingston of the Presbyterian Church of Canada urges that the extension of funding be delayed and that a board of education system be considered under which both the public schools and Roman Catholic separate schools exist in harmonious community arrangements, without needless duplication of expensive educational services.

In addition, the Ontario government should explore the possibility of bringing a limited number of private and/or independent religious schools under the unified board of education.

The Roman Catholic Church strongly urges the government to proceed at once with the extension of full funding through to grade 13.

The United Church acknowledges that the Ontario government has adopted a policy of full funding for the Roman Catholic separate school system within the province. While recognizing that this policy seeks to redress a long-standing inequality, we in the United Church in Ontario are concerned that this decision was adopted without consultation with the public and without regard to its far-reaching implications for the public school system.

We are deeply concerned that this policy could have the effect of eroding the public school system, perpetuating religious divisions in Ontario communities and encouraging demands from other religious denominations and groups for similar funding for their schools.

We are also concerned that the policy would result in serious injustice to teachers and support staff, whose careers may be adversely affected by drastic changes in enrolment, as well as having an adverse effect on special programs for the disabled and other disadvantaged groups.

Therefore, we call upon the Ontario government to delay implementation of the proposal until consideration can be given to these human rights issues: the transfer of teachers and other

staff between systems regardless of religious persuasion and/or marital status; the provision for pupils to attend the school of their parents' choice; and the assurance that pupils with special needs are given equal access to the system of their parents' choice.

12:20 p.m.

Furthermore, we call upon the government to make public the projected cost of this proposal, not only in terms of provincial government grants but also to local communities.

A time of major change in our educational system provides an opportunity to raise fundamental questions about the meaning of education and the place of religious values training. We encourage the government to study the need for and the implications of providing religious values education for all pupils in Ontario school systems. This might be done through the existing Ecumenical Study Commission on Public Education.

Our vision of a just and truly public school system could be fulfilled by the active promotion of integrated school boards responsible for all schools within their geographic area and providing opportunity for diversity in education.

I will turn it back to Mr. Palmer.

Mr. Palmer: Thank you, Mr. Santor. Thanks for hurrying through the reading of that brief.

If no one else at the table has any comments, we are ready for any questions or dialogue.

The Acting Chairman: It will come as no surprise to you, I am sure, that the questions you have raised are the very questions the committee has been struggling with. It has received, of course, many different kinds of answers to those questions.

Mr. Offer: I would like to echo the words you have just stated. A lot of the concerns about maintaining and preserving the viability of our public education system have been concerns that this committee has taken very seriously throughout the many presentations in the different places we have sat in this last little while. We have on numerous occasions questioned the provision for religious study throughout the system.

I would like to clarify one thing. On page 10, you quote from the brief of the Ecumenical Study Commission on Public Education. You are quoting from section 2.7. In the fourth-to-last line you use the term "Anglican, Protestant and Roman Catholic communities." On a fair reading of the commission's yellow book, on page 5, section 2.7 does not include the phrase "Roman

Catholic." I wonder if you might be able to clarify why one appears and the other does not.

Mr. McEntyre: This is a corporate document. In section 2.7 of our brief we were addressing ourselves simply as the Anglican and Protestant communities; but when we were doing this, we recognized that the Roman Catholics also have an interest in the present school system; their young people are also in the secondary schools of Ontario and they have a concern. We tossed that in. I did not realize we were actually going to quote from this. That is how it appears there. It is not contradictory to the intent at all.

Mr. Offer: As a supplementary, on page 15, your appendix refers to the Roman Catholics as strongly urging the extension of full funding, which I can understand. When you refer to the ecumenical study commission brief in the fourth-to-last line on page 10 and use the phrase "Roman Catholic," where did you get the authority to do that?

I would like to get the backup information on that. On page 11, at the end of the paragraph, you clearly refer to section 2.7. If there is some sort of ancillary document which would permit the inclusion of that phrase, that would be terrific.

Mr. Palmer: I would like to suggest that we delete that phrase from the quote because it is not in the original quote. When we prepared this brief with Father Fogarty's help we were very careful to keep it in the context of the public school system, the elementary and secondary schools. There was no reference to the Roman Catholic or separate school system in our brief, because we were not addressing the question of religious education within the separate school system.

I do not know whether that is satisfactory, but I would like to see that removed. I do not know whether Father Durocher would like to make a comment on that.

Father Durocher: I have not delved into the brief. This is the first full exposition of it that I have had, but I have taken part in interfaith committee meetings where most of the members of the ecumenical study commission were present. From that contact, I was quite aware of the different currents of reaction to the June 12 speech.

At one end—I will not say right or left or anything—some have been opposed from the very beginning, and I think they will remain opposed. At the other end, some have been quite favourable since we first looked at the June 12 speech. In the middle, there has always been a large group of people who are opting for delay

because they were surprised, as was practically everybody in the province. That has extended itself in some way to more than delay, to the complete overhaul of the education system in the province from the point of view of religion.

I am aware of all the currents. I feel quite comfortable with them. If Mr. Davis can change his mind, many people sitting here today can change their minds in a year or 10 or 14. I hope it will take less than 14 years, to tell you the truth.

I do not disagree with the basic thrust of the ecumenical study commission in that it is concerned with the place of religion in education. We all share that, especially with a Charter that confirms the supremacy of God.

I wish there had been more allusion to the diversity of people who have come into our province from other continents, especially the Orient.

The Acting Chairman: People who are not part of the Judaeo-Christian tradition.

Father Durocher: They are not part of the Judaeo-Christian tradition. There have very deep religious cultures in which religion in life and education are one. We are presenting a very great problem to them at present because we do not seem to provide for them.

I also want to say in passing that I grew up in a town called Duluth, Minnesota, in which the Scandinavians of various religious affiliations took up three quarters of the telephone directory; so I am quite used to navigating in an ecumenical milieu. However, today I was reminded of the long sermons that drove some of our Lutheran neighbours across the street into our church, especially when they were young.

The Acting Chairman: There are many kinds of marketing devices in the world; that is one of them.

If I may say so from the chair, reading these two statements in their context I do not find them contradictory. However, if you wish to delete any words, you are welcome to do so.

I will take this moment for a housekeeping matter. The additional documents you received this morning, the booklet entitled Religious Education Belongs in the Public Schools is exhibit 640A, the pamphlet entitled Ecumenical Study Commission on Public Education is exhibit 640B, the pamphlet entitled Opening Exercises is exhibit 640C and the pamphlet entitled A Brief on Religious Education is exhibit 640D.

12:30 p.m.

Mr. Allen: I guess in some respects we have all awaited this brief for a long time. Very early

in the debate there was reference to the position the Ecumenical Study Commission on Public Education took in its second publication on this issue some time ago. I do not want to rehash all the past history or raise the question as to why the commission has changed its mind. I will content myself with the observation that sometimes in these things those who study them do not get the total support of the communities they represent.

In 1970, the commission appeared to be in advance of several of its communities. I found in my own conference of the United Church of Canada that while the commission which studied the extension of separate school funding came to a satisfying conclusion it could support, when it went to the Hamilton conference the conclusion was not supported. There is a certain irony there that often affects all of us in the public process. Sometimes the study commissions do not end up according with the communities from which they spring.

I do not want to respond to the particular questions. They are all very good. I have no desire to belittle any of them. We all have to wrestle with that list of 20 questions which range through social, economic, religious and educational concerns in the province. I think the whole content of the brief is highly reflective and pressingly urgent in its central concern.

I know you have been concerned about this matter for some time. Can you tell us something of the history of your attempt to persuade government in recent years to move on this question? I have been surprised by the long delay. I have been persuaded by the arguments you present; I have heard them many times in different forms.

In our universities, it was possible for us to move in the 1960s into what might be called the secular study of religion and away from the mere presence of divinity schools into departments of religion. The Canada Council in the mid-1960s authorized the use of public moneys for research in the study of religion as an authentic and proper public expenditure. I am surprised it has taken so long for the public school system to embody the systematic study of religion for its children in that same spirit.

What has been the response? How insistent have you been? What kind of answers have you got to your request to the ministry?

Mr. Palmer: In 1972-73 the old Ontario Council for Religious Education, which included all the denominations except the Roman Catholics, although the Roman Catholics had an observer on that committee, joined in with the

ecumenical study commission. Since that time, our focus has been on religious education, and mainly in the public school.

It took us four or five years to wrestle with the question of how we were going to teach a course in religious education in a pluralistic, multicultural society. It was that long before we had done enough study and come to some kind of conclusions. As a result, since about 1978 we have been talking to the ministry, trying to persuade them to take a more active role in this area.

We ran a conference in 1977. We have run two others since then, in 1984 and 1985, on this topic. In recent years we have had much more support and interest from the ministry and from the curriculum branch.

At this point I would like Mr. Santor to speak, because he can fill in some background on moral education. Then I think Stuart McEntyre would like to carry on from there. Don, would you like to say a little on top of that?

Mr. Santor: Part of the answer you are looking for goes back to the Keiller Mackay report. Following that report many years ago—15 or so—a lot of work was done in the Ministry of Education. By the mid-to-late 1970s the Ministry of Education had embarked upon a program to develop a framework for incorporating moral values education into the curriculum. A basic document has been produced by the ministry and has been circulated across Ontario and is being implemented. However, the implementation is relatively uneven at present, and school boards need support and assistance to continue this process.

The other part of your question deals with religious education. In 1970 the ministry did adopt a curriculum guideline on world religions for secondary schools. That course is being taught; it is an accredited course. However, it is an elective course; it is not mandatory in any way, shape or form. Also, religious education in the elementary schools is provided for in the ministry rules and regulations. However, this is often neglected or disregarded, or school boards opt out. We believe, for fundamental philosophical reasons, religious education should be included.

I would like to clarify a question from the chairman by saying that the commission's position and its reports endorse wholeheartedly the study of all religions. Even though the paragraphs are short—section 2.8 and others—we recognize and feel very strongly that religious education must embrace all the religious commu-

nities represented in our jurisdiction. What we recommend is not exclusively a Judaeo-Christian religious education but a study of all world religions in accordance with the needs of the kids, the needs of the community and so on.

Mr. McEntyre: I am a relative newcomer to the commission. However, Rev. James Roe, who is here in the room, has been on the commission for many years, and we have younger representatives from the Presbyterian community in the room.

Mr. Allen asked a question that certainly needed to be asked, from my point of view. When I joined the commission, as a learner and as one who wanted to make a contribution, I attempted to write the pamphlet you have there. I was shocked to learn the commission has been knocking at the door of the Ontario government for years and years with the concerns of the Christian community of this province. Its representatives would sit down for hours and talk to Premier Davis and to various Ministers of Education but, in my opinion, received no satisfactory answer whatsoever and no satisfactory direction in this regard. That is profoundly offensive to the religious community of this province and to my own community.

12:40 p.m.

What is also an extraordinary offence to me personally and to many people in this province I know, is that the Premier would have been having discussions with a Roman Catholic cardinal and would have brought forward that denomination's desire without consulting with the other communities. Archbishop Garnsworthy has appeared before this committee. We now appear as a commission. The Presbyterian community will appear later. We are profoundly disturbed, and our people are.

An injustice has been done to the young people of this province in the educational system. For 45 years the former government did not live up to its obligations in point of law; rather, by attrition we see almost the denigration of religious faith. It is unacceptable. Our briefs are clear, both the one to the minister and the one to this committee. It is absolutely unacceptable. I am glad Mr. Allen raised the question. We have been waiting and waiting. The religious community of this province is not going to wait much longer.

Father Winslow: As you will notice, my name is not on the submission to the ministry because I was not yet a member of the Ecumenical Study Commission on Public Education. I am probably the newest member.

When I was in a little town called Manitowadge, I was vice-president of the Lake Superior Board of Education. We were also teaching religion in the public schools by having clergy go in, according to the act. It was when I was on the board that I started to realize how it was done. We would come before the board for permission, and on a 14-member board we were getting permission by three, dissension by two and nine people abstaining. I began to ask questions about religious education in the public system.

When I was transferred by my bishop to the town I am now in, Thessalon, just outside Sault Ste. Marie, I determined I was not going to run for a board again; I was going to get involved in Christian education being reinstituted into the public school system. In the meantime, I had been involved with the then members of the ecumenical study commission. I had the privilege of meeting Father Fogarty, for instance, before he died. In fact, he and I discussed the funding the last time I saw him at the conference in May 1984.

I was amazed that while they were always pointing to the act as being the legal presentation of religious education in the public school system, nothing got done in most boards. To my knowledge, the only board that ever tried to opt out and was not granted permission was the Metropolitan Toronto board, and that was probably because of the political impact that Metro would have compared to the other boards had it withdrawn.

Our report on this issue, as my colleagues have pointed out, does cover all faiths. Despite the fact we are specifically a Christian ecumenical group we want multifaith education. My purpose is to try to avoid the fragmentation of the public system. However, I know there is a large movement of members in the Anglican church which says: "The public system is not Christian. We want our children in a Christian system. We want the Judaeo-Christian value system and religious education that was present at the time of Confederation in 1867." They want the system that existed at the time of Ryerson, as we quoted from Tom Wells's comments. If we got that, however, the Jewish community would want it, the Buddhists would want it and so on. The fragmentation would be horrendous. Rather than supporting those members of my denomination, I have supported this concept of religious education.

What has amazed me since we placed our report is how much concern and study there must be for the implementation of religious education

in the public system and how much concern, study and worry about the implications for the rest of society, etc., there has to be before we can even start to think about it. I have looked in total amazement, as we have quoted David Peterson, at the "ready, fire, aim" process that has been followed in the implementation of the separate school funding.

As you will remember, in our diocesan presentation we are not opposed to the separate school funding. We are opposed to the methodology and the fact that it is being implemented without the questions being answered. These are very good questions. There are some we did not ask. I wish we had asked them. However, to say they are very good questions and will be dealt with in the future violates the whole process when you consider these two things running side by side. The reinstitution of religious education in the public system: "Lots of study. Lots of time. In the future. Maybe. If we can work it out." The extension of funding to the separate school system: "Boy, let's go. We'll work out the problems later." I do not see the equation.

That is the history of my involvement in the ecumenical study commission. I am also a member of a committee of the Anglican church which will be presenting the current position to the provincial synod in October. I will have the thrill of presenting the political position and actions of government, the constitutional review, etc. It is going to be interesting to see how things are, come October.

That is how I became involved in the history of it and how I see the history of this whole move. I think that is what you were looking for in your question, Dr. Allen.

Mr. Davis: Rev. McEntyre, in your processes over the years on the commission you approached the government of that day and were thwarted in your attempts, did you approach the leaders of the opposition parties?

Mr. McEntyre: I have been on the commission only about three years, but we did not. The chairman may be able to answer that.

Mr. Palmer: We should clarify one or two things. I would like to calm the waters a little, because the longer view means we have had more co-operation as we moved towards the present. We have wrestled with the question of moral education. Bette Stephenson and Bill Davis told us they wanted to settle the question of moral education and values before they tackled religious education. The problem was that it took six years to do it instead of two as they expected.

After that, we got into the question of religious education. In our last meeting the minister promised she was going to move on this. They moved with the appointment a year ago of Joe Rapai, the first appointment of a consultant responsible for religious education ever made in the ministry. He has been working very closely with us, and I think there is a quiet movement within the ministry. I hope there is much more being done now in that area than we are aware of.

Mr. Davis: Is it true, Mr. Santor, that in your role in the ministry you were responsible for values education?

Mr. Santor: Yes. I did the basic—

Mr. Davis: Did values education not derive out of the concern of the Christian community?

Mr. Santor: Yes, indeed.

Mr. Davis: I know the input is left to the local jurisdictions, and I believe a board I served on has one of the best-developed programs for values education, which is very important, but is it not true that to teach values education the mandates that came down from the ministry and the mandates that were developed by that committee in Scarborough insisted those teachers be qualified before they go into the classrooms and start teaching values education?

12:50 p.m.

Mr. Santor: I spent two years with the ministry developing that basic document, which by the way is titled Personal and Social Values, and it does lay the foundation. A lot of time was spent researching across the province. As you are indicating, terrific support came from the religious communities, not just the Christian community but also the Jewish community and the other faith groups in the province. However, the impetus for this document came originally from within the Christian community.

I believe two things are being said here that must be emphasized. The first is that this is a significant dimension to the education of a child. It does require a lot of training for the people involved, and it cannot be implemented overnight. There is uneven implementation in the province, of course, and this is one of the problems that is being faced right now with the whole business of moral values education.

If we are going to adopt a religious education program—and there is a need and certainly there is a consensus in many quarters for supporting and implementing a religious education program—there must be a lot of work done and it must be started now. That means document development, program development, teacher

education and certification procedures, to mention only a few of the more pressing issues that must be dealt with.

To emphasize some of the points being raised by members of this panel, there is pressure in our communities. In many communities we fear the fracturing of the public school system. That is one of the significant fears that raises its head constantly. Is the public school system going to be fractured beyond repair, beyond being a viable system? That is one of the reasons you find a shift of opinion between 1970 and 1985. In 1970 there was not a large number of communities in Ontario asking for funding from the public purse; today there is. As a result, this justifiably explains why there is a shift in the opinions of members of this commission.

Mr. Davis: That raises a very interesting question. It seems to indicate there is no religious instruction in the public education system. I take exception to that. In the elementary panel, as I understand it, a clergyman can go in and ask for that right. That is still under the Education Act; that has not been changed. In fact, the removal of religious education in this province was at the insistence of the Christian communities; they were not happy with the methodology of delivery, because it was for the proselytization of students in specific faiths.

I went through that system. I watched a Baptist clergyman come in one week, then a United clergyman, an Anglican clergymen and whoever else wanted to come in. Sometimes they were not even qualified clergymen, they were members of the religious faith or group; by that I mean they were members of the community who came in because the clergyman was busy that day. I believe most churches said that was an ineffective and inappropriate way to deliver religious instruction.

If you go into school systems today, individual teachers still live by and teach the precepts of the Christian faith, the Jewish faith and the Muslim faith. In fact, in school systems across Metropolitan Toronto, principals invite members of the Muslim faith to their jurisdictions to explain the religious events and their culture to the students. There is a cross-fertilization and cross-pollination of religious understanding. It is not formal and it is not laid on. One of the differences is that the thrust of the ecumenical study commission is that religious education is to be a mandatory subject, not a voluntary one.

If you were to check the record you would find that world religion, for example, is disappearing from the curriculum because young people are

not taking it in secondary school; but when you go to the universities they do not know how to support that program because there are so many people taking it. Maybe that is the place it should be; I am not sure.

If you go into the schools at Christmas time, I dare say that in the Christmas productions is the Christmas story. The music taught in schools to a large degree is in the Judaeo-Christian tradition. Hymns are sung. Most school jurisdictions open the day with the Lord's Prayer; I am not saying that is appropriate, but they do it.

One of the reasons there is difficulty in bringing religious education into the schools is that we now want it to be a mandated subject. When we moved to moral values education, the ecumenical study commission stated it was important that young people in society be able to discern values and moral decisions. If I am not mistaken, the commission suggested that was of primary importance and that the religious instruction would come later.

The kinds of statements being made are not necessarily true, not totally true. There are shades of grey in between. That needs to be stated, and stated profoundly.

Mr. Santor: I did not say there is no religious education. I said that it is hit and miss and that it is uneven. It is being done formally in some places, informally in others and not at all in many. I would like the record to be clear on what I did say.

Perhaps you are describing exceptions, not the norm. Individual teachers do this, of course. We would like to see more of it happen on a more consistent basis.

We do live in a multifaith community. These faiths can create barriers, or they can create avenues for intercourse. Let us make sure we do those things that enable these faiths to create avenues for intercourse and not barriers.

The Acting Chairman: Mr. Allen, you still have the floor if you wish to carry on, keeping in mind the time.

Mr. Allen: Without wanting to be too obviously in contention with my esteemed colleague, I would ask him whether many of the points he makes are not precisely the problem he is trying to overcome in the nature and presence of religion in the public school system. Not only is it hit and miss, irregular or of questionable quality, but it has an ethnocentric base on a particular religious group in the community. It is not presented, as other subjects are, by specialists who have had training and who can dissect

the religious, socioethnic and economic component in a religious presence in society.

My sense of much of the debate and the misunderstanding we have around this issue is that a lot of people in our society do not have an intelligence with respect to religion that enables them to sort out elements of motivation and distinguish what is truly religious from what is essentially social, partial or individual in character.

I am not great on the mandatory side of this business, but I sense you want a cross-curriculum presence for religion of a nondenominational kind that is systematically well based in a trained teacher cadre that can respond to the interests of children, religiously speaking, in a mature fashion.

The Acting Chairman: Quickly, do you agree or disagree with that?

Mr. Palmer: I agree with everything you have said. You have put it better than many of us would have done. This is essentially what we tried to do.

I would like to take the liberty to correct an impression left by Mr. Davis. It is related to Mr. Allen's answer. There was an old religious education curriculum that was taught by teachers to the end of grade 6. That material has all disintegrated and has gone by the board; it has not been changed since 1944. Some of the material for grades 7 and 8 was last updated in 1960, when Dr. Lewis Beatty did the revision. That was the last curriculum development that was done in the elementary system. There has been nothing done in the secondary school system, and there never has been to my knowledge.

We are asking for exactly what you said; we are asking for a whole curriculum from kindergarten right through to grade 12 that will be systematic and will include many of the things Mr. Davis says are being done incidentally or locally but will still leave the individual boards freedom under the guidelines to make decisions about what goes in and what goes out, according to the multicultural aspect of their community.

1 p.m.

Mr. McEntyre: I would like to make a few points. In reply to Mr. Davis about the matter of moral values education, we state in our documents that a vacuum has been allowed to develop in relation to religious studies which has only partially and peripherally been addressed in the area of moral values education.

To say a little bit more about that, there are those in the broader community, especially those of a fundamentalist persuasion, who strongly

object to any moral values education that is divorced from a religious basis. They point out quite correctly that this is done in the Soviet Union. There is a significant group of people whom we do not represent but who have strong suspicions about moral values education that is divorced from Judaeo-Christian understanding.

I am glad to hear Dr. Allen say so succinctly what the core of the concerns of the commission are. However, I want to remind this committee, this government, the Minister of Education (Mr. Conway) and this Legislature, that the concern of this commission now is that there should be a delay or a withdrawal of this bill. We are fully cognizant of the fact that each one who sits on this committee has voted in favour of it, and you speak about that. We and our constituencies sincerely hope you will delay this bill. The grass-roots people throughout all of Ontario, from border to border, north and south, all kinds of little people, intelligent people, uninformed people possibly but mostly well informed, are saying, "Delay and consult."

Mr. Gillies: I think most of the points I wanted to touch on have been covered. However, I want to say I fully agree with the commission as to the value of a course of religious instruction within the schools. I take some considerable comfort from the emphasis you place, sir, on the need for it to be very broad in terms of the instruction. There are many people in our constituencies now who are very devout Muslims, Hindus and so on, and we must not, by any means, forget them in what we are doing and setting up.

The one point of disagreement I might mention is that I understand the commission, arising out of the 1968-69 research, put forward a paper calling for the extension of separate school funding. Correct me if I am wrong, but I believe Archbishop Garnsworthy signed that paper on behalf of the Anglican church at the time.

I do not accept the argument that the competition of more people and more types of people for public funds should be the foundation of a change in that position. There are any number of reasons to change the position, and I do not by any means say you should not have the right to do so; however, I believe that if something was considered to be morally right 15 years ago it is probably morally right today. I just put that forward.

Mr. Palmer: I do not think we have changed our opinion as a commission. We have agreed to the extension, but we have asked for a delay for further study on all the questions we have asked.

The statement that is in the record here is on the 1985 stand.

As a Baptist, I am in an awkward position. Since 1963 we have been on record as being opposed to it, but that has not stopped us as a denomination from working on the ecumenical study commission and being part of it. We have been active in the ecumenical study commission since the very beginning.

Religious education has been our focus since 1971, when the decision was made by the Progressive Conservatives that they were not going to extend funding of the separate school system. We have worked in the area of religious education, and it took us 14 years to get to this point in January 1985.

There are lots of people in my denomination who will not agree with me; however, they are tolerant in this situation and just want to see the overall picture. If you read the resolution carefully, you will see there is room for movement there.

I think Father Winslow had a comment on this too.

Father Winslow: I want to make it clear that we are not opposing it. We are asking for a delay so questions can be answered; that is all.

The other thing I would like to respond to—I did not get the chance before; I was passed by—is the matter of wanting the religious education program to be in the core curriculum. Everybody likes to jump up and down and say, “We cannot be proselytizing in schools.” This does not call for that.

On page 9 there is a whole list of reasons why this program should be offered in the core program, including “Religion is one of the few areas of study that deal directly with the purpose and meaning of life.” As Father Davis has pointed out, religion has been the driving force behind moral values; but moral values education is not religious education, it derives from it. You are correct in pointing it out in that manner.

Farther down the page, we say, “Religion, along with the humanities and the sciences, is one of the fundamental ways of viewing and understanding the reality of the human experience.” Religion is tied into these things.

We do not want to go in there and say, “You all have to be good little Christians or else.” Rather, we want to say: “Here is what Christianity says, here is what the Hindus say, here is what the Buddhists say and so on. Here is the spirituality tied up in what these faiths say. You, Mr. Christian, understand that Buddhist over there and what he is all about so you are not going to

belittle him because of who he is, faithwise, when you are out in the community after you have gone to school. You, Mr. Hindu, do not look at that Sikh and think that he is some sort of a strange being or that he is always out with a knife and is going to put it in your back or something. Understand who he is as a person.”

That, my friends, is just as essential as mathematics. That is why the Roman Catholics want their school system: so they can teach this kind of thing. I came out of a Roman Catholic school system. I know Father Durocher is going to wonder where I went wrong and became an Anglican priest; but I was an Anglican when I went in and I came out an Anglican. The Roman Catholics want to be able to teach understanding from a religious viewpoint, and of course in the case of Roman Catholicism from the Roman Catholic viewpoint.

We are saying that to keep the unity of the Protestant, or public school system as it is now called—it has been unilaterally usurped over the years—we want this kind of educational instruction into what religion is, what it is all about, what it teaches, what its spirituality is, why people are crazy enough to gemixed up in it and how we, as individuals, deal with these people in love and care in a society such as Ontario.

I am a Toronto boy. I am living in the north right now. There are French-Canadians up there. I am used to Roman Catholics, Anglicans, Presbyterians, United Church and so on. I was born and brought up in Toronto. A few weeks ago, I was down here and I got on a subway train to return from Richmond Hill to the hotel I was staying in. It was late at night, about 11:30 p.m. I looked around the subway car. There were seven people on that car; two of us were white. It was a culture shock for me, coming in from the north to experience that. My people up north do not understand that, but they have to learn to live in Ontario. That is what this program is all about. That is what the desire in this area is all about.

1:10 p.m.

Mr. Gillies: I laud you for saying that. In your brief you speak of understanding, patience and charity; I picked up a lot of that from your presentation today. If I might put in a little elbow shot, I wish every cleric who has appeared before this committee had displayed the patience, understanding and charity you have.

Mr. Palmer: Mr. Chairman, since we got into the area of funding, I think it would only be fair if we gave Father Durocher a chance to say a little bit from the Roman Catholic side.

Father Durocher: Thanks very much. Some time ago—it seems to me a long time ago—somebody said we would start thinking about lunch.

The Acting Chairman: We are now thinking about supper.

Father Durocher: We are past thinking about it; so I will be very short.

It want to say that I did not particularly appreciate the mention of Ryerson. Every lawyer in the province is bending his mind to that part of the history of Ontario, between 1850 and 1867, to see what kind of education system existed then and whether it was elementary or secondary. All the lawyers are chit-chatting about that at lunch. Bill 30 will therefore depend on people transmuting themselves into antique seekers. Certain books published in those days are worth about \$100 now because the lawyers cannot get their hands them; they are looking for those books.

I regretted that mention was made because the result of my studies is that Mr. Ryerson was a domineering, tyrannical imposer of his ideals of life on the whole province. I say that with some respect, because he was taking a very chaotic situation and trying to turn it into something else. It took the politicians 20 years to get rid of him. He was running the whole show; he did not consult anybody. Sometimes that is necessary in public life, but I hope he is not going to come back now and do it the other way around and impose Catholicism on everybody, perhaps having been more enlightened since he left this world.

I would also like to say that I did not appreciate the allusion to the cardinal. I am sorry to say that, because in ecumenical circles we avoid comments of that kind. I do not think anything has been established about the role of the cardinal in this affair. However, I can give you some advice,

my dear friends in the ecumenical movement: if I were you, I would consult the cardinal on how he did it. You seem to need a lot of that, and you might be able to use it.

The Acting Chairman: Thank you for a stimulating deputation.

I have three announcements for the members of the committee, which I will make very quickly.

For your schedule for next week: on September 20, William Grenville Davis will be appearing at 9:30 a.m. That may be of specific interest to members of the committee. He is appearing earlier so we will have time to attend the swearing-in of the Lieutenant Governor, which means we will have to close up office around 10:45 a.m.

A second announcement with respect to Monday: those of you who are going to Sault Ste. Marie should meet at the front door at 6 p.m., not at 5 p.m. We are sitting that day.

A third announcement is a thank-you from Richard Johnston for the Balloonagram the committee sent. It cheered him greatly, although he was not sure whether the balloons were filled with helium or with some other gas.

Father Winslow: May I make a statement about September 17? You will be in Sault Ste. Marie that day. As chairman of the coalition in Sault Ste. Marie, I am going to be stuck in Sudbury that morning with the Archbishop of Canterbury, but our people will be presenting. I am not slighting the commission by not being there. I will be back around noon, I hope, and will spend the afternoon at the hearings.

The Acting Chairman: The committee stands adjourned until 2 p.m. on Monday, September 16.

The committee adjourned at 1:16 p.m.

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No. S-43

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, September 16, 1985



Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, September 16, 1985

The committee met at 2:13 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: I am sorry for the delay in getting started this afternoon. We are not usually late. The first group before the committee this afternoon is already before us, the Ontario Secondary School Teachers' Federation from Muskoka.

MUSKOKA BOARD OF EDUCATION AND MUSKOKA DIVISION, DISTRICT 40, ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

Mr. Green: Mr. Chairman, I would like to introduce the participants today. On my left is Mrs. Marilyn Rowe, trustee, of Muskoka, and on my right is Greg Munce, president of OSSTF District 40. We also have with us today, in the seats behind us, Mrs. Edith Nichols, trustee; Cliff Whitfield, director of education; and Mrs. Lynda Stone, trustee.

Before beginning the presentation of our brief to your committee, I would like to acknowledge and express the appreciation of the Muskoka Board of Education to the Muskoka division of OSSTF.

Since it was our understanding that public boards of education would have full opportunity to identify and express their concerns before this committee, you can understand our disappointment when we were told initially we would be unable to schedule an appearance.

Despite the tensions that existed between our board and its secondary school teachers during the months prior to and during our strike earlier this year, the Muskoka division of OSSTF agreed that we could use a portion of its scheduled time to provide us with the opportunity to express our concerns.

We proceeded to prepare a brief in a co-operative mood, and only recently we were advised that we could be scheduled for a separate appearance, but only if we did not appear today with the Ontario Secondary School Teachers' Federation. Our board decided to continue in the original sharing context. That action should

provide clear indication of the apprehension we share as we consider the impact on education in Muskoka of full funding for separate schools.

The presentations today represent a communion of concern. Each brief has been prepared independently and represents the views of the constituencies represented. Apart from the shared concern regarding the effects of the proposed changes on the quality of education in Muskoka, each of the two parties is solely responsible for the content of its brief.

It is proposed that I, as chairman of the Muskoka board, and Mrs. Marilyn Rowe, trustee, speak first and share the concerns of our board. This presentation will be followed by the views of OSSTF District 40, delivered by Gregg Munce, president.

I will now ask Mrs. Marilyn Rowe to begin.

Mrs. Rowe: During the past few weeks you have had the opportunity to hear many presentations that have outlined concerns relating to Bill 30. It is not our intention at this time to repeat viewpoints that have been previously identified. This does not mean we do not support these positions, nor does it suggest we do not share many of the stated concerns. We do. In this regard, we particularly emphasize our support of the positions of the Directors of Public Boards of Education in the Province of Ontario, the Northern Ontario School Trustees' Association and the Ontario Public School Trustees' Association.

Our intention is to focus on three effects of the proposed legislation that may be somewhat unique to Muskoka. Many people know Muskoka as a scenic blend of rock, scented pines and sparkling lakes and rivers, which make it Ontario's premier recreation area. Muskoka is all of this, but it has other unique characteristics which are much more significant in terms of Bill 30.

The first concern we would like to raise with you today is that of trustee representation.

Muskoka's year-round population of more than 35,000 people is increased by well in excess of 100,000 seasonal residents during the summer. More than 78 per cent of that year-round population is located in the three towns of Bracebridge, Gravenhurst and Huntsville, with the balance distributed among the three town-

ships of Georgian Bay, Lake of Bays and Muskoka Lakes. The bulk of the seasonal population, on the other hand, resides in the Georgian Bay, Lake of Bays and Muskoka Lakes regions. Well in excess of 50 per cent of the total residential and farm assessment in Muskoka is in these three regions.

Muskoka is unique in the province in that the bulk of the residential and farm assessment comes from those parts of the district that have the lowest number of permanent residents. As a result, special provisions are contained in the Education Act to ensure that trustee representation on the Muskoka Board of Education is based on the population of permanent residents as opposed to the percentage of residential and farm assessment.

This is consistent with the principle of representation by population which is fundamental to our Canadian heritage, has been in place since 1969 and has served the representative needs of Muskoka students and parents well. Unfortunately, the introduction of Bill 30 poses a threat to the continuation of this principle.

The current legislation identifies two conditions that must exist in this regard. First, the equalized residential and farm assessment of the property rateable for separate school purposes in a school division must be less than five per cent of all rateable residential and farm assessment in the school division.

Second, the ratio of residential and farm assessment in any municipality expressed as a percentage of the total residential and farm assessment for the whole school division must differ from the ratio of population in the municipality to the total population in the school division by more than 15 points.

The first of these conditions has always existed in Muskoka but is almost certain to change in the near future under the proposed legislation. The net result would be to deprive the permanent residents, those who are most concerned about the quality of education in Muskoka, of proportionate representation on their board of education.

This unique principle appears complicated on first reading. Our director of education has prepared some overheads which we hope will be of assistance to you. At the conclusion of our joint presentation, if you have any questions about this principle, he will be glad to answer them for you.

At this time, Mr. Green will continue with our second concern.

2:20 p.m.

Mr. Green: The second concern is the impact on assessment.

A second unique feature of Muskoka is that due to the many cottages and resorts, it has a high proportion of assessment to permanent population. At first glance, this appears to make our board of education a particularly wealthy one. Closer examination reveals two flaws in this perspective.

The high level of assessment results in one of the lowest educational grant rates in the province. In addition, the majority of taxpayers not only pay educational taxes in Muskoka, but also pay educational taxes and have their children educated in another jurisdiction. Quite understandably, this results in considerable pressure on trustees from our seasonal residents and the organizations to which they belong to reduce educational costs.

An even more serious threat looms on the horizon with the introduction of Bill 30. Under the proposed legislation, Roman Catholic seasonal residents could direct this tax support to a separate school board. This could be done even if that same taxpayer continued to be a public school supporter and sent his children to the public school system in his permanent area of residence.

Any significant trend in this direction could have devastating financial implications in an area such as Muskoka where the current rate of provincial grant is only 35 per cent and where the average per capita income of the year-round residents is well below the provincial average. The Muskoka board is finding it increasingly more difficult to provide a quality education for its students within the financial ability of its ratepayers. We can only see this problem exacerbated with the proposed legislation.

A third concern is the impact on Gravenhurst High School, Muskoka's smallest and most vulnerable secondary school, with a September 1985 enrolment of only 513 students. It is located in the town of Gravenhurst, which is also under the jurisdiction of the Simcoe County Roman Catholic Separate School Board. Only this month, a new separate secondary school has opened in Orillia, a distance of just 20 miles from Gravenhurst.

The plan filed by the Simcoe County Roman Catholic Separate School Board with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario did not comment on the impact of this new school on the Muskoka

school system, nor was a copy of its plan forwarded to our board until it was requested in mid-August. As a result, we were unable to file an impact statement.

However, it must be clearly recognized that with daily school bus routes already operating from Gravenhurst to Orillia under the sponsorship of the Simcoe County Roman Catholic Separate School Board, there is likely to be a very significant impact on Gravenhurst High School and the quality of the educational programs provided in that community.

Dr. William Newnham, chairman of the planning and implementation commission, sounded a warning in his statements to your committee on July 17, 1985, with this statement: "Finally, the commission is becoming increasingly concerned over the number of small secondary schools which appear to be emerging as a result of plans by Roman Catholic separate school boards."

The Muskoka Board of Education is also concerned; it is deeply concerned over the potential impact of this new school, which has already begun to draw students from the Gravenhurst area. We agree wholeheartedly with the statement of the Minister of Education (Mr. Conway) in his statement to the Legislature on July 4, 1985: "The first principle is the need to protect the viability of the public secondary school system."

Does quality education occur when a small secondary school, already struggling to retain its viability, is threatened with further arbitrary reductions in student population?

Let us conclude. It is our position, and that position results from careful consideration and is firmly held, that Muskoka has neither the population nor the economic base to support two parallel systems of education.

We share the view of John Fraser, a member of the planning and implementation commission, who stated in his minority report on the plans of the Kenora District Roman Catholic Separate School Board for extension of funding, "It is the northern boards and the rural boards of Ontario that are being disadvantaged through the fracturing of the secondary school programs."

We therefore ask your committee to carefully consider the following recommendations.

1. That the implementation of the extension of funding to Roman Catholic separate school boards be delayed until such time as the full impact of that implementation on small and rural schools and school boards can be thoroughly studied.

2. That prior to any further movement toward full funding, changes to the Education Act be introduced to ensure that the intent and spirit of the present subsection 59(17) be maintained.

3. That prior to any further movement towards full funding, careful study be given to the fiscal and educational impact of having nonresident taxpayers in Muskoka change their tax support from the public system to the separate school system.

4. That should full funding be implemented, it is strongly recommended that the educational needs of all students be met by one unified system of education, if not in the entire province, at least in areas of low population density such as Muskoka.

I would now like to call on Greg Munce to give his presentation for OSSTF District 40.

Mr. Munce: Bill 30 will alter the entire educational environment in Muskoka. Until just three years ago, when a separate elementary school was created in Huntsville, Muskoka was blessed with what many people who have appeared before this committee have argued in favour of all summer: a nonsectarian, totally accessible, unified school system which virtually every child in the area attended from kindergarten to grade 13.

The only exception in the entire area was a separate elementary school in Honey Harbour, in the southernmost corner of the district, affiliated with the Simcoe County Roman Catholic Separate School Board and not a factor for the purposes of this issue. Religion was simply not a factor in Muskoka education. Now it is.

Muskoka consists of three distinct communities, each with a number of satellite towns and villages. Each community has a secondary school: Bracebridge, with an enrolment this fall of 953; Gravenhurst, 513; and Huntsville, 853.

There are 17 elementary schools in the district and one elementary separate school, opened in Huntsville just three years ago, in a series of portables, by the Nipissing District Roman Catholic Separate School Board. Muskoka itself does not have a separate board of education. A bus travels from Gravenhurst with an unknown number of students who attend various separate elementary schools in Orillia.

Muskoka has suffered, along with the rest of the province, from the effects of declining enrolment and reduced provincial funding. Over the past 10 years, approximately 30 teaching positions have been lost, and the provincial contribution to education in Muskoka has been cut from 50.2 per cent to 34.1 per cent.

Gravenhurst High School, with 513 students, is considered by board and ministry policy to be a barely viable institution and already experiences severe difficulties in offering program. In fact, a decade of declining enrolment has made all three secondary schools suspect in the area of viability.

Timetabling becomes more difficult each year, combined classes are standard practice, many courses are offered only every other year and some programs have disappeared entirely. In addition, all three secondary schools and many of Muskoka's elementary schools are ageing facilities requiring extensive repairs and capital replacement, particularly in the technical shops.

Obviously, any further enrolment decline accompanied by inadequate funding will put Muskoka's secondary schools in serious jeopardy.

2:30 p.m.

Turning to the immediate future under Bill 30, this section is divided into three parts, dealing with three communities: Huntsville, Bracebridge, and Gravenhurst.

On Huntsville, the Nipissing District Roman Catholic Separate School Board, which apparently has jurisdiction in part of Muskoka in the absence of any other organized entity, has filed the plan with the planning and implementation commission and the Muskoka Board of Education has sent its impact statement.

The Nipissing plan has been approved for September 1986. It affects only Huntsville High School and involves the Nipissing District Roman Catholic Separate School Board buying services from the Muskoka Board of Education at a cost of approximately \$4,300 per student for an estimated 37 students in 1986, growing to an estimated 71 students by 1989.

The Nipissing District Roman Catholic Separate School Board has also asked the Muskoka Board of Education to provide the following, and you will find this interesting:

(a) Credit courses in religious studies and family life courses; (b) a Roman Catholic guidance counsellor to help students explore vocational and spiritual solutions and concerns; (c) access to separate school students by the parish priest; and (d) time for separate school students to attend liturgical events, such as mass and sacraments.

At first glance, this plan would appear to be the kind of co-operative approach many people in this province, the ministry and certainly members of this committee would consider an ideal response to Bill 30. Even the Ontario Secondary School Teachers' Federation's concerns appear

to have been satisfied since theoretically no teachers would be lost. The credit courses in religious studies and family life, as well as the guidance counsellor, would be provided by the present staff of Huntsville High School.

In our opinion, this would be a hasty conclusion, as the following questions would suggest:

Concerning the religious studies and family life courses, what if there are insufficient numbers of separate school students to warrant offering religious studies and family life courses? Will they be timetabled regardless of the numbers, thus affecting the size of other classes? What if no member of the present teaching complement who is a Roman Catholic is qualified to teach or wishes to teach these classes? Will the Nipissing District Roman Catholic Separate School Board then hire such a teacher? To which federation will such a teacher belong? Who will be responsible for administrative supervision of such classes and teachers?

If there is insufficient space in the two family life classrooms at Huntsville High School for the two programs to run concurrently, which one will suffer? How will both types of students respond to these separate but equal programs? How will students and their parents feel when they discover that the family life or religious studies classes are smaller, which is a distinct possibility? Will non-Catholic students be allowed to take the religious course?

On the second item, the guidance counsellor, what if there is no Roman Catholic guidance counsellor on the staff of Huntsville High School? This is the case. When asked about this, the director of the Muskoka Board of Education, who is sitting behind me, suggested that since we have until September 1986 to implement this plan, it may be necessary to transfer one of the other counsellors from Bracebridge or Gravenhurst, if one can be found who is both Roman Catholic and willing to go.

On the third item, access by a priest: When? Where? How will other students respond to this kind of presence? How will the rest of the clergy in Huntsville feel about being excluded?

On the fourth item, time to attend liturgical events: How often? How will other students respond? Will this be done in class time, necessitating disruption and make-up work because of lost classes?

Then there are some general concerns about such an arrangement. What will the overall impact of this plan be on staff, students and the community as it unfolds? Are there not other

courses which the Nipissing District Roman Catholic Separate School Board may find unacceptable when taught by public secondary school teachers?

How will the Nipissing District Roman Catholic Separate School Board and separate school students and parents feel about, for example, sex education and birth control units in physical education? That is a compulsory credit under the Ontario Schools, Intermediate and Senior Divisions guidelines. How will they feel about a frank discussion on abortion or premarital sex in an English class, or the general atmosphere or ethos to be found in a nonsectarian school? Will the mandate and tradition of pluralism in the public system, its ethos—which by definition involves giving time and attention to various views held by various groups in our society—be compromised, diluted or threatened by such an arrangement?

Perhaps the most important question is, how long will the Nipissing District Roman Catholic Separate School Board be satisfied with such an arrangement?

Bracebridge: No plan of any sort currently exists which would have direct impact on Bracebridge and Muskoka Lakes Secondary School. As previously indicated, there is no separate elementary school in Bracebridge. However, it is conceivable that in September 1986 some students from Bracebridge may wish to attend Huntsville High School. Since some Bracebridge elementary students already travel to Huntsville's separate school, the elementary school, this would appear to be a reasonable expectation. Again, such a question leads to further questions.

If enough students travel north to Huntsville and a teacher from Bracebridge becomes a designated person under Bill 30, what will happen to the teacher? Will he or she be transferred to Huntsville or, because of program problems, could he or she become the responsibility of the coterminous Nipissing District Roman Catholic Separate School Board and thus be transferred to North Bay, 100 miles away?

Gravenhurst: Apparently the Simcoe County Roman Catholic Separate School Board is not a coterminous board with Muskoka, so no impact statement has been requested. There will, however, be an impact; in fact, there already has been. According to our director of education, at least four students who might have gone to Gravenhurst High School this fall have enrolled in a new separate secondary school for grade 9 students only in Orillia.

Since exact numbers of potential separate school students in Muskoka are unknown at this time, it is difficult to estimate the impact over the next few years, especially in the absence of a plan and impact statement from the Simcoe County Roman Catholic Separate School Board. Clearly there will be an impact and it will occur in a school where viability is already severely threatened.

Once again, there are questions. With no implementation plan, will redundant teachers from Gravenhurst fail to become designated persons under Bill 30? If they are eventually designated, will they end up in Barrie?

The next section of this brief deals with the long-term impact of Bill 30 in Muskoka. Since the separate school system is an entirely new phenomenon in Muskoka and it is impossible to know how many potential students there may be, it is difficult to make definite predictions about the long-term impact of the extension of funding. There is certainly not a shortage of questions, all of which are based on the following reasonable scenario:

Stage 1 deals with what could happen between 1985 and 1989. The agreement with the Nipissing District Roman Catholic Separate School Board continues. By 1989, approximately 75 to 100 identified separate school students are at Huntsville High School, some of them travelling from Bracebridge. Separate elementary schools are built, transferred or purchased in all three communities. There is a continued bleeding to Orillia of separate secondary school students, again some from Bracebridge, totalling somewhere between 25 and 50. The Muskoka Roman Catholic Separate School Board is created and Gravenhurst High School declared nonviable.

Stage 2, 1990 to 1994: separate secondary school students are now under the control of the Muskoka Roman Catholic Separate School Board. The Nipissing District Roman Catholic Separate School Board plan is phased out and a new plan submitted to the planning and implementation commission. Separate elementary schools continue to grow in Muskoka, especially with permanent facilities now in place. Between 300 and 500 separate secondary school students have been identified in Huntsville High School or are attending school in Orillia.

Stage 3, 1995 to 2000: the Muskoka Roman Catholic Separate School Board submits a third plan to the planning and implementation commission, if it still exists, to: (a) build a new secondary school, probably in Bracebridge; (b) take over Gravenhurst High School on the

grounds that it is no longer viable as a public secondary school according to the public board's own plan; (c) share a wing of Bracebridge and Muskoka Lakes Secondary School because it is the central community; (d) continue a Nipissing Roman Catholic separate school-style plan at all three schools; or some combination of the above.

Here, then, are some of the questions that come to mind when confronted by such a scenario.

1. Will the planning and implementation commission still be accepting implementation plans and impact statements 15 to 20 years from now?

2:40 p.m.

2. How will it be possible to identify designated persons under Bill 30 in the kind of jurisdictional and administrative chaos described above, with potentially three separate school boards involved at least 10 years before the full impact of extension of funding is felt?

3. Would it be reasonable to expect Muskoka's public elementary teachers to enjoy the same protection as their secondary counterparts under Bill 30, since it is unlikely that such an expansion, indeed creation, of an entire separate school system would have occurred in Muskoka without the extension of funding? Would it be unreasonable to demand such protection and compensation retroactively for those elementary teachers in Huntsville who, during the last three years, have already lost their jobs because of the new separate elementary school in Huntsville? Would that school have been started at all if the extension of funding had not been in the air?

4. As the separate school system in Muskoka is created *ex nihilo* under Bill 30, is it feasible to imagine a scenario in which, if they are given the protection to which they are entitled, the displaced public elementary and secondary school teachers of Muskoka would constitute almost the entire staff complement of the Muskoka separate school board? How would the new separate school board feel about this? How would any separate school teachers eventually hired feel about being lowest in seniority? How would the so-called distinct Roman Catholic ethos be created or maintained in such an environment?

5. How will busing be handled in Muskoka, where transportation is already a heavy-cost item?

6. What will the effects be on the communities—this is a very important point—over the next 15 years as one plan after another emerges; as elementary schools are turned over

to or shared by the various separate boards involved; as students are bused over long distances and as divisions and distinctions which simply have not existed before become reality?

7. What role will Muskoka's large population of absentee cottagers play in this drama? Theoretically, if they reflect Ontario's general population proportionately, 35 per cent of them may declare themselves to be separate school supporters even though figures indicate that perhaps as few as 15 per cent of Muskoka's permanent residents are Roman Catholic. Would this be fair to the public school supporters and students?

8. With the tremendous potential impact on staffing resulting from the creation of an entirely new separate school system in Muskoka, and continued generally declining enrolment in the area, can we foresee a public school system in Muskoka staffed primarily by older male teachers, as suggested by the Ontario Separate School Teachers' Federation brief to this committee?

The Muskoka division of District 40 supports the general recommendations made by the OSSTF in July and offers the following additional recommendations should this legislation ever be reported:

1. That the issue of absentee ratepayers or cottagers be addressed in the legislation to ensure that neither the public nor the separate school system is deleteriously affected by disproportionate shifts in ratepayers' support.

2. That elementary teachers be granted the same job protection as secondary teachers.

3. That the bill be amended to include specific wording that would address situations where separate school boards buy services from public boards, as described above, specifically to: (a) provide protection for all teachers; (b) ensure no negative impact on program, class size or school viability as a result of such arrangements or the conditions required by the buyer; (c) ensure that if such an arrangement exists, the separate school board involved must confine requests for specific Catholic courses to religious studies and family life courses only.

5. That the bill be amended to include a stipulation which sets a minimum number of students required before a new separate school may be built.

The Vice-Chairman: Is there going to be an overhead presentation?

Mr. Green: We do have some support on the trustee representation item and on the impact on assessment, by Mr. Cliff Whitfield, our director of education.

The Vice-Chairman: Would you like to proceed with that now?

Mr. Green: Sure, it might answer some questions.

Mr. Whitfield: These charts will serve as an illustration of one of the points made in the board's presentation with respect to the distribution of representation by population. It is subsection 17(59) of the Education Act and was commonly known as the Muskoka amendment.

This is an actual example based on distribution for 1985 taxes. Along the left, we have the six municipalities which make up the district of Muskoka: Bracebridge, Gravenhurst, Huntsville; the three towns and the three townships. Next we show residential and farm assessment, both public and separate, the equalization, and in the next two columns we have the equalized assessment and then a percentage of the total public school assessment of each municipality.

For instance, Bracebridge—and this is the significant factor—has 14.67 per cent of the equalized public school assessment and we have a portion going down. That is one of the columns we will advance, because ordinarily representation occurs on the basis of equalized assessment. This subsection makes provision for consideration of population.

You will see the permanent population of each of the six municipalities down the left-hand side. You can see that at 35,966, it is not very large. We do have a considerably larger population in the summer time and I am sure some of you people are aware of that. That is not a factor, however, in this calculation.

The last column is the significant one. It is the percentage of distribution that might occur if population were the factor. This one brings together the two totals, the distribution of population and the distribution that might occur according to population, and the difference.

I am going to backtrack one. Another critical factor is this 2.16 per cent in the lower right-hand corner. If, according to subsection 17, the total separate school assessment is less than five per cent, consideration can be given to distribution according to population if another factor exists, and that is the 15 per cent spread.

We meet the first criterion in Muskoka: less than five per cent of the total assessment support separate schools. Because we have that, we can consider distribution on the basis of population, and only if in one of the municipalities there is a spread in the two calculations of 15 or more points. You can see with respect to the township of Muskoka Lakes, we have a spread of 18.44 per

cent. Indeed, in the municipality of Huntsville, you can see we are almost at the 15 per cent too.

The two criteria have been met: less than five per cent separate school assessment and more than a 15 per cent spread when you look at the calculation based on assessment or population.

2:50 p.m.

Therefore, what happens in Muskoka is that we make our distribution of our representation on the basis of population and we are entitled to 14 members based on an earlier clause on the total population. If you follow this chart, applying the actual percentage of population to the 14, this would be the representation of 14 members, we have to round that off. When it is rounded off, we have a distribution you can see here, which gives us a total of 13 trustees plus one more to be assigned. There are different ways in which that one can be assigned.

Option A is giving representation to the one municipality that would have none, that is, the township of Georgian Bay. The clerks in the municipalities make this determination and they made the determination this year, as they have in many past years, that the distribution would be according to clause a.

It is important to realize, then, that the municipality with the largest equalized assessment, which is the township of Muskoka Lakes, has two representatives because of this formula. If the formula operated only on equalized assessment, the township of Muskoka Lakes would have five representatives and some of the other municipalities would be reduced to one.

This is of concern to the people of Muskoka. If we see an erosion of the assessment to the separate schools so we exceed the five per cent, then this entire Muskoka amendment would become inoperative. Representation would then be on the basis of assessment and we would see a considerable skew from what currently exists.

The Vice-Chairman: Thank you. Questions from the committee?

Mr. Davis: First of all, thank you for the brief. We appreciate you coming down and taking the time to outline your concerns, and as the committee has heard on a number of occasions, the deep concern of those communities where there is an individual high school.

I was wondering if you would do something for me, since it was mentioned in your brief, and that is to define "viability." On page 5, you state you support the concept as stated by the Minister of Education. "The first principle is the need to protect the viability of the public secondary school system." Could you define for me what

you believe is the viable system? You can use one of your own areas. That would help us.

Mr. Green: I will start. In this regard, viability to us means having a sufficient number of students in the school to provide an adequate program. What we are concerned about is that the continued erosion of the numbers in our secondary school also erodes our ability to provide a full educational program to our students in Gravenhurst.

Mr. Davis: What number do you think provides a viable education program?

Mr. Green: At 500, we are starting to have difficulty offering a full program. We are having difficulties right now and we are very concerned that the number is going to be eroded even further.

Mr. Davis: So you think it is about 500. How about Mr. Munce?

Mr. Munce: I am not sure what the board's exact number for viability is. I believe it is—pardon me?

Mrs. Rowe: Five hundred.

Mr. Munce: It is at 500, so it is getting pretty close at Gravenhurst, is it not?

Mr. Davis: You state in your brief on page II, that 513 students is considered by the board to be very viable for instruction.

Mr. Munce: Its viability is suspect. I believe, that is what my brief says.

Mr. Davis: No, that is not what your brief says. Your brief says that this very viable institution already experiences difficulties in offering program. What I want you to do for me, if you can, is to define what you believe is viable.

Mr. Munce: If you are referring to page II, it says "a barely viable institution." What I am referring to there is the board policy and, I suppose, that is based on some kind of ministry policy. They are looking at somewhere in the neighbourhood of 500 students as being a cutoff point. I would agree with that as a definition of viability—

Mr. Davis: 500.

Mr. Munce: —knowing the kind of difficulty they are experiencing at that school. It is a semestered school as well, which creates other kinds of problems.

Mr. Davis: On that same page in your brief you mention "ministry policy". What policy? Does the ministry have a policy on viability?

Mr. Munce: I would assume it has some kind of policy. Otherwise, how would a local board of education develop its own guidelines?

Mrs. Rowe: A few years ago, the ministry instructed school boards to put plans into place for potential school closings. At that time, the board had to establish a number at which it felt a school's viability was suspect. At that point, a plan went into effect that included consultations with the teachers, with the parents and with the students. Our plan is triggered when the figure is 500. This was done at the request of the Ministry of Education.

Mr. Davis: There really is not a ministry policy, then; the policy is established by the school board, which sets its trigger figure for closures.

Mr. Jackson: Mr. Chairman, I would like to pursue some enrolment questions. I notice from reading your brief that you have one separate elementary school in Huntsville. Have you been measuring or monitoring the erosion of students from your elementary system to that school since it opened?

Mr. Green: Yes, but I do not have the exact numbers. Mrs. Rowe may be familiar with that.

Mrs. Rowe: I am not sure. I would have to ask Mr. Whitfield. He has the exact number of students who have gone to the separate school.

Mr. Whitfield: Mr. Chairman, I did not bring those figures with me, but we were reviewing them last week. I believe we have lost approximately 200 students in the elementary enrolment in the Huntsville area since 1983, the year the separate school opened. There are approximately 180 students in the separate school in Huntsville, so we believe that most of our loss has been to the separate school.

Mr. Jackson: Is that a kindergarten to grade 8 school?

Mr. Whitfield: That is correct; just so I do not mislead you, the separate school is a JK to 8; ours are K to 8.

Mr. Jackson: Was there an increase in the enrolment transfer either last year or this year? There has been a natural transfer because the school is now open for business.

Mr. Whitfield: Yes.

Mr. Jackson: Then on the announcement of the funding—

Mr. Whitfield: Yes. Actually we are about 50 students below projection this year in the elementary schools in the Huntsville area, and we believe that is a continuation of the transfer of families and assessment to the separate school.

Mr. Jackson: I pursue that question because you make a very clear point in your brief about

measuring elementary losses of enrolment and requesting the legislation to acknowledge them. That has certainly been referred to by members of our caucus.

My other question had to do with your final point, that the bill should be amended to include guidelines for minimum numbers of students before a new separate school can be built. Would you also consider it fair to refer in the legislation to the transfer of a facility?

Mr. Munce: To an existing facility?

Mr. Jackson: Yes.

Mr. Munce: I think that would depend largely on where that existing facility were. I would certainly be opposed in an area such as Gravenhurst, a one-school-town, if you will.

Mr. Jackson: There may be cases where a systems approach might find in looking at the whole picture—looking at the entire system for vacant elementary pupil places—that a specific school could become redundant. If you are going to tie the transfer or the building of a new school to numbers, it may not be worth the upset to transfer the one school to the separate system unless certain numbers were justifiable. Such cases may not occur in Muskoka.

Have you envisaged tying it not just to new construction, because that is really a monetary issue of new capital funds from the province as opposed to a transfer, which is sort of a political intrusion into the process in determining that one board should have a facility; in fact, the minister has indicated that he would rule on that.

3 p.m.

Mrs. Rowe: I would like to refer you to the board's recommendation 4 on page 7: "That should full funding be implemented, it is strongly recommended that the educational needs of all students be met by one unified system of education."

As a public board, the Muskoka board would want to provide that education under our roof. We have started a process in the Huntsville school and would like to see the same process working in Gravenhurst. Rather than splitting that very small school into two schools, it would be our recommendation that it remain as one, that it remain unified. We would accept responsibility for the education of the separate school students, for the good of all students.

Mr. Jackson: It is appreciated when you talk about trustee representation, assessment and its fair application, yet I cannot resist raising a question that has been raised with me.

I have several hundred constituents who pay taxes to your board and have been approached on several occasions to set up a mechanism to facilitate more easy access to municipal elections for people who live outside the jurisdiction, but who are paying fairly hefty taxes. I have a leading question: What are your thoughts on making it a lot more convenient for the Toronto area residents? We will make it that simple.

Mrs. Rowe: That has already happened. It was very visible in the last municipal election when cottagers came in busloads, especially to the Muskoka Lakes area, and actually unseated incumbents of good standing in favour of representatives from outside the area. That mechanism is in place and has worked successfully, depending on your point of view: not successfully from a Muskoka point of view, but I would think that people from outside Muskoka would deem it to be successful.

Mr. Jackson: Roadblocks might be an answer; mail-in ballots with the wrong return address was another idea I had recommended to me.

Mr. Davis: Mr. Chairman, I would like to come back to a question I neglected to ask about the Nipissing District Roman Catholic Separate School Board buying services. You talk about a school of approximately 37 students. Is it the coterminous board's intention to have those 37 students isolated and separated, or are they going to be mixed throughout the whole school system? You did not expand on that and I wonder if you could.

Mr. Green: They would be totally integrated and the courses offered would be the same as the rest of their curriculum.

Mr. Munce: They would be totally integrated, except for those areas that are talked about there, such as family life.

Mr. Davis: That is very interesting in the light of the discussion we had, I think on Friday, with one of the coterminous boards from the Kitchener area. Since our hearings in Windsor, our caucus has been expressing deep concern over the single school, articulated very well by our then-Education critic in Windsor, although it was not picked up here in Toronto.

In our discussion I asked about the process, because as we go through this process we are forgetting the young students and the quality and opportunity of education for them. It is interesting that the four areas picked are the four areas that I suggested to this group of principals as an option. As you said, that was totally integrated,

but the public system would provide credit courses for religious studies, a guidance counselor who is Roman Catholic, access to the sacramental life and as much as possible to create for those students the ambience of catholicity.

You have stated they want your family studies course separated. What is the difference in programs?

Mr. Munce: As part of the initial work I did in preparing this brief, I looked at some ministry guidelines from that point of view. I think there probably would be a difference, although I could not detect the sort of differences that would exist because there is nothing stated. I assume a guideline applies to all students, but there must have been a reason for the request, probably something to do with what would be operative in areas such as birth control, approaches to family and so on, or how those issues would be approached.

Mr. Davis: It may be that they would be prepared to have their students in the regular family life studies if certain aspects were incorporated into your curriculum. By that I mean that when you teach birth control, you would teach the whole process of birth control; if you are talking about family planning, you would incorporate some of their values into that program.

Mr. Munce: That may be, but I certainly do not want to have words put into my mouth. I clearly stated in my brief that it could be a problem area and that may be why they have asked for that kind of course to be taught by a Roman Catholic.

Mr. Davis: Perhaps you could do something for us. Could you check with them about their specific concerns about the family life course? It might help us in our deliberations if they would just drop us a line. I would appreciate that.

The Vice-Chairman: In the absence of other questions, I want to thank you very much for coming before the committee this afternoon. You have been most helpful in presenting another set of unique problems, which we will do our best to try to resolve with a general piece of legislation. We appreciate the specific information you have brought before the committee this afternoon. Thank you very much.

Rather than making announcements at the end of the committee meeting when everyone is walking out, I will make a couple of announcements now.

The information on grant regulations has been filed with the committee. Obviously, no one has

had an opportunity to go through the regulations, but I am wondering whether the committee would like to meet a half-hour earlier on Thursday when the ministry people would be available to us to answer any questions. I do not want to interfere with the delegations, so I would prefer to do it at 9:30 on Thursday morning, if that is possible. Does the committee want that, or is the information that has been filed with the committee sufficient?

I do not see any overwhelming desire for the ministry to come forward on the grant regulation information; if not, then we will just have the information filed and if at a future date we want the ministry people, we can do that.

Cars will be waiting for us in front of the Legislature at 5:45 p.m. to take us to the airport to go to Sault Ste. Marie. I would remind the committee that we are meeting at 9:30 a.m. on Friday, rather than the originally scheduled time.

Finally, I would like to have a meeting tomorrow at noon of those members who are on the steering committee for this committee to take a look at some guidelines for our proceedings on Friday. There are strict time limits on our meeting with the former Premier on Friday.

Mr. Allen: Members will recall that on Friday, subsequent to the presentation of the brief by the Federation of Provincial Schools Authority Teachers, I indicated I would be tabling a motion that responded to a central concern of that brief.

The essential concern expressed was that teachers in the schools being divested by the Provincial Schools Authority to local school boards under previous provincial legislation were not provided with the equivalent or corresponding protections those teachers in similar situations under Bill 30 were being provided.

At that time, you will recall I inquired as to the status of these teachers as teachers. They were equivalent in professional capacity and status to the teachers hired by the boards affected by Bill 30. Subsequent to that I gave notice of the motion.

I have circulated the motion and I will make a comment or two after it has been read.

3:10 p.m.

The Vice-Chairman: Mr. Allen's motion reads as follows:

"Whereas Bill 30 provides for designation of teaching and nonteaching employees of public boards of education whose jobs are lost as a consequence of the completion of the separate school system through to the end of secondary

school, and for protection of the salaries and benefits of such employees;

"And whereas no corresponding measures are included in Bill 82, which imposed an obligation upon all boards of education to establish special education programs, to protect the employment of teachers and nonteaching employees in the specialized education facilities for hard-to-serve children which are directly operated by the provincial government;

"And whereas the phasing-in of mandatory special education has in fact been accompanied by substantial loss of jobs in the provincial schools but has not resulted in fair consideration of provincial school employees for increased special education employment with boards of education;

"Therefore be it resolved that the brief from the Federation of Provincial Schools Authority Teachers be transmitted forthwith to the Minister of Education for urgent consideration and action to redress the unfair situation under which those who lose their jobs because of Bill 82 are treated much less generously than those who lose their jobs because of Bill 30."

Mr. Allen: Let us take a specific example under Bill 30 and the divestment procedures under which the provincial schools affected are transferred to the operation of public boards.

Teachers in an en bloc transfer—for example, in a French school—being moved from a public board to a separate board, not only would transfer to the new board with all the protections of Bill 82 but also, specifically with regard to the matter of seniority, would be phased into the seniority of the existing cadre of teachers in the public board, with no distinction, separation of panels or loss of standing.

In the case of teachers teaching for the Provincial Schools Authority, which is run directly by the government, the arrangement for the transfer of schools provides that those teachers will have a separate seniority panel of their own and that they will be protected in seniority as long as they stay with the school in question. However, if the school board saw fit to move them, or if under the pressure of employment loss in the school itself they were forced to move into the regular panel of teaching employees of the board in question, they would immediately revert to the bottom seniority standing. In other words, they would not carry their seniority over into the existing panel of teachers.

In the case of a teacher in the French school who was transferred out of the existing school

and into the regular classroom of other schools within that board, he would suffer no loss of standing by virtue of having his seniority phased in appropriately with the existing cadre of public high school teachers and would simply proceed in normal fashion.

One could give corresponding examples in a number of respects to indicate that the protection provided—by legislative intervention of this Legislature in both cases, I might add—to the teachers under the Provincial Schools Authority falls far short of that which is provided to teachers under Bill 30.

As a committee of the Legislature regularly concerned with matters of education, the standing committee on social development, hearing the separate school funding issue and considering presentations on and amendments to Bill 30, might well undertake to convey to the minister with its statement of concern that this situation exists and to ask him to give it his urgent consideration at the earliest possible moment. That is the intent of this motion.

The Vice-Chairman: Members of the committee, I do not mind having a discussion on this. If we want to proceed, you will notice the motion is worded in such a way that we are not demanding a response if this motion is passed.

Technically speaking, and I will go by what the committee decides, this is not within the terms of reference of this committee at this time, since we have Bill 30 in front of us and not Bill 82. However, if the committee wants to ask the ministry—basically, all we are asking is that it take a look at this problem that has been brought to our attention—we can proceed in that way.

I do not want to spend a great deal of time on this, however, because we do have other deputants.

Mr. Jackson: On that very point, given that our agenda has been printed for some weeks, and given that we have deputants who in some cases have come great distances to be with us today, I would ask that this item be left until the end of today's agenda and that we pursue it then. I sense from the number of hands that have gone up that there is going to be a bit of a debate about this. It is hardly fair to the main intent of today's hearing. I would ask for a ruling on that.

The Vice-Chairman: There is no need for a ruling. That is a reasonable request. I might ask the member for Hamilton West (Mr. Allen) whether we could table this until we have heard the next two deputants. That would be an appropriate procedure.

Mr. Shymko: A number of us are on this committee for the first time. We did not have the opportunity to listen to all the submissions and briefs presented to this committee on Bill 30, some of which also might have had an element of urgency and might have had some value in being brought up in a special resolution.

Although I concur that there are serious problems with the impact of Bill 82 which I share with my colleague, there may be other briefs presented either today or tomorrow or later this week—

The Vice-Chairman: You are now debating the motion.

Mr. Shymko: I am not debating. I agree with Mr. Jackson's suggestion that we should hold this until the end of today's deliberations and then make a decision. We should wait until all briefs have been submitted to this committee. At the end of this week, or at the end of the deliberations of this committee, there might be some that we might deem urgent and important enough to be passed on to the minister.

The Vice-Chairman: We can have that debate at the end of the day. If a vote comes and that is your feeling, you can always vote against the motion if we proceed with it.

Mr. Gillies: I have a brief comment. I appreciate the problem you are encountering. Many of us have substituted in and out of this committee over the weeks and have had issues like this one, which is of great concern to me, come forward.

For those of us who may have an interest in these and who debated them at the time we were in the committee, Mr. Chairman, can you let us know whether you are going to put these matters to a vote today, so we can be here to speak to them, or a week from today, at the end of our hearings, or whenever?

The Vice-Chairman: I must confess that I was not here on Friday, and I was not aware that there was going to be a motion presented this afternoon until 2 p.m. Give me some time to think about how we are going to proceed.

Let us proceed with the next delegation, which is the advisory vocational committee of the Ottawa Board of Education; Ms. Nielsen-Addison.

3:20 p.m.

ADVISORY VOCATIONAL COMMITTEE,
OTTAWA BOARD OF EDUCATION

Ms. Nielsen-Addison: On behalf of the advisory vocational committee, I would like to

express my sincere gratitude for being able to be here. You have already heard from the Ottawa Board of Education. I am chairman of their committee's advisory vocational committee

We come before you today to reiterate and re-emphasize the impact Bill 30 would have on vocational education and so you can hear from us what we have done up until now as we have dealt with a couple of other issues that have severely impacted on the quality of vocational education at the Ottawa board level.

The advisory vocational committee over the course of the past 10 years or so has been deeply involved in matters related to vocational education; that is, technical, commercial, business and staff upgrading. It is from this perspective that we are here today. There are a couple of scenarios we have dealt with over those years that have warranted our careful study and consideration in coming up with new and innovative initiatives.

We have had to deal with the issue of declining enrolment, as schools in all of Ontario have. The Ottawa Board of Education has already experienced a decline of more than 10,000 secondary students from a high of 27,298 in 1972 to 17,097 plus in 1984. This decline in enrolment has seriously impacted upon the availability of vocational programs across the system.

We are of the firm belief that vocational education, whether that be the direct entry into employment, at the grade 10 level, at the grade 12 level or post-secondary education, constitutes not only the backbone of our economy but also the backbone of our maintaining some level of competitiveness.

The other scenario across Ontario that has seriously impacted upon the availability of vocational programs is the implementation of Ontario Schools, Intermediate and Senior Divisions. We have seen a serious decline in vocational programs across Ontario and a major decline in the number of students attending commercial and technical programs in our schools.

In Ottawa, the projected effect of the extension of full funding for the separate school system will be to see the enrolment decline further to 12,631 in 1990 from 17,000; and if a francophone board were established, the population would decline to a projection of approximately 10,000.

The legislative committee should be aware that in the Ottawa Board of Education, Roman Catholics comprise 53 per cent of the overall secondary population and 24 per cent of the elementary school body.

Vocational education has for many years been a very important element in preparing the youth of the Ottawa-Carleton community to become productive citizens. We have demanded a high quality of service, and as the Ministry of Education reduced its level of grant support, the Ottawa taxpayers increased their contribution to ensure that the quality of education did not suffer.

In our community you will see a support and deep commitment to vocational education to ensure that our youth can find employment in today's labour force where students need skills to find jobs. We are looking globally at 80 per cent of the student body that does not go on to post-secondary education. We are talking about 80 per cent of our population that has to go out there with skills to find jobs. In the long run, if they do not find those jobs, they become a further burden upon our economy. Furthermore, they will not be contributing to our economy.

Vocational education is of paramount importance, and it needs to be marketed further. We are afraid that the implementation of full funding will further erode on the two scenarios I have already presented that impacted on the decline of accessibility to vocational education for our students. We are afraid that unless some form of protection is included in the legislation to ensure the existence of such courses, both technical and commercial business, all boards will offer a far narrower range of choices in vocational programs.

In the past five years, the Ottawa Board of Education has invested \$3.3 million in the upgrading of commercial and technical equipment and personnel; it is very innovative compared to other school board systems. In addition, it has spent \$8 million in renovating Ottawa Technical High School, which is the finest technical high school in eastern Ontario and perhaps in all of Ontario. This was done with a view to meeting the demands of today's high technology, of businesspeople out there saying: "We need skilled students. We are willing to take your students. But they have to come with some form of entry-level skill."

Co-operative projects have also been established with the local community college and universities to foster the continuation of vocational education for students from our system. These projects were supported enthusiastically by all these institutions.

In 1984, our committee undertook a project to develop school-related packages for the commercial program at the High School of Commerce,

the technical program at Ottawa Technical High School and commercial and technical programs at Ecole secondaire André-Laurendeau. These will provide a curricular emphasis for students leading towards specific educational goals, namely, university, post-secondary education in technology, applied science, business and commerce; community college technicians, specialized, clerical and secretarial occupations; and direct employment entry skills, trades, clerical and secretarial occupations.

A key element in preparing the package was the need to provide some form of flexibility allowing students, over the course of exposure to these programs, to change their minds and reorient themselves. We consulted with universities, with deans of universities, with faculties of colleges and with the business community. We made the presentations and said, "If our students go through these types of programs, would you guarantee entry?" Naturally, the universities would not say, "We can guarantee entry." However, they did say, "Any student who goes through that type of program, be it a business or applied technology type of program, would have 99.5 per cent assurance of obtaining entry."

In other words, we had the support of the institutions, be they university, college or business, to put in place and maintain our vocational programs, including four- and five-year programs. All these undertakings are designed to enrich and enhance the programs to respond to a knowledgeable and vocal community, while always maintaining in the front of our minds the needs of the students.

We believe that through the implementation of Bill 30, boards will become competitors, and there is the possibility of having a Roman Catholic board, a francophone board and a public school board. With that type of competition and the combined impact of OSIS and declining enrolment, what we will be looking at in Ontario, and certainly in our community, will be declining accessibility to facilities. The community cannot afford to support the wide range of vocational programs it has been able to maintain up until now.

We feel strongly that if Bill 30 is implemented in its present state, the costs to the community will be felt severely as our youth, through lack of orientation and lack of access to diversified quality vocational programs, will join the ever-increasing unemployment ranks. And we will still have to pay, either through federal taxes or through provincial taxes.

3:30 p.m.

These initiatives were undertaken because of the firm conviction of the members of the advisory vocational committee that we do indeed have a very valuable community resource that must be exploited to its fullest to the benefit of our most important resource, our youth. The current programs at the High School of Commerce and at the Ottawa Technical High School have been extremely successful up until now. Ninety-nine per cent of the students at Commerce and more than 90 per cent of the students at Ottawa Tech find employment upon graduation.

With the implementation of Bill 30, we believe we are eroding accessibility to the technical and commercial programs. Both of these schools have, over the years, served the needs of the Ottawa-Carleton community as a whole rather than being restricted to a traditional school geographic area. As previously stated, declining enrolment has already taken its toll.

The advisory vocational committee strongly believes it is essential the education system take a long-term view of both commercial and technical education requirements with an objective of establishing centres of excellence in both disciplines in the Ottawa-Carleton community and that these centres should serve the needs of the total community.

Unless some form of protection is included in the legislation to ensure the continued existence of diversified quality vocational programs, all boards will offer a far narrower range of choices. Our students will suffer, our business community will suffer and our labour pool is not going to be as qualified.

As the Ministry of Education is aware, the Ottawa Board of Education has recently undergone two major reorganizations of its secondary schools: in 1982 for the French-language schools and in 1985 for the English-language schools. In each case the community expressed a clear opinion about its wish to continue a quality education program. If, in addition, through competition, enrolment was insufficient to warrant the continued use of such a facility as the Ottawa Technical High School, we could be facing additional school closures.

The AVC strongly believes that the Ministry of Education must consider a regional approach to education in Ottawa in order that the best level of services for the dollar expended can be realized. In addition to a regional approach, another way in which vocational programs could be protected is to foster the concept of co-operative or joint management of those schools

where duplication of offerings could be the cause of insufficient enrolment to operate the courses. We really urge you to consider that and to take the time to flesh that one out and come up with a blueprint.

Encouragement for boards to explore comanagement possibilities must be included in the general grant regulations where additional grant support would be given to school boards that have fostered savings through comanagement, resource sharing or other co-operative measures.

The advisory vocational committee strongly recommends that the legislative committee take a long-term view of these issues before putting in place a structure that will make our vocational program goals virtually impossible to achieve. Sufficient time and attention must be given in order for our youth to be well served.

In conclusion, this brief has attempted to express some very fundamental principles that must be given full attention and adhered to if vocational education is to be fairly served in the board's jurisdiction and, indeed, in the Ottawa-Carleton community.

The advisory vocational committee of the Ottawa Board of Education believes that if Bill 30 was adopted in its present format, the first and third principles stated in the Minister of Education's statement to the Legislature on July 4, 1985, would not be respected in the Ottawa area. We go back to the word "viability."

He said: "The first principle is the need to protect the viability of the public secondary school system....Third, in implementing this policy, the interests of students in all our schools must be first and foremost."

The quality and variety of vocational programs offered to all the Ottawa-Carleton population have already been threatened by regular declining enrolment. In response, the AVC has taken steps to ensure the continued quality of vocational programs. Competition can lead only to the termination of many specialized vocational courses and programs now being provided to the national capital population.

If Bill 30 becomes a reality, then co-operative ventures possibly could ensure the maintenance of the current level of services and programs. Legislation and grant regulations must provide incentives that would encourage all boards to work co-operatively.

I thank you very much for giving me this opportunity to come before you and state our position.

Mr. Jackson: I would like to thank you for your brief. It is quite detailed and that is appreciated very much.

For those committee members who have not had experience on school boards, perhaps you could help by clarifying the advisory vocational committee and the community involvement on it, the makeup of the committee and your mandate.

Ms. Nielsen-Addison: Under the Education Act, a board may appoint an advisory vocational committee to advise it on matters relating to vocational education. They have elected to have such a body and we represent and are appointed by the board. They would find it difficult not to hear from us when we put forward motions.

We have on our advisory vocational committee eight members who represent our community, including federal employees, private sector employees, the president of Telecom Canada, presidents of large corporations and businesses, and concerned parents.

We meet as often as is necessary, normally once a month. We have a formal agenda, entertain motions and report directly to the board.

Mr. Jackson: It is fair to say that this brief has been endorsed by your entire AVC committee?

Ms. Nielsen-Addison: Yes, it has.

Mr. Jackson: Has it been before your board?

Ms. Nielsen-Addison: I should have pointed out to you that some members of our advisory committee represent the board.

Mr. Jackson: Trustees, in other words?

Ms. Nielsen-Addison: Yes. It is on the direction of the trustees that we are here today. We had written to them requesting to be part of the hearing, saying we had supported the brief you received from the Ottawa board. We were then asked to come forward and present our own brief to restate this position.

Mr. Jackson: From your experience in Ottawa, where you have a model operation with respect to vocational programs, given that you have a commerce school—these features are common only to large urban areas, but the program is more integrated into other high school settings throughout the province—could you give us some examples of programs that, even in the context of having a school of commerce, you are having to abandon because of declining enrolments?

Ms. Nielsen-Addison: In our appendix, you will note the courses dropped. Because of declining enrolment, we simply cannot afford to operate those options. You will find throughout Ontario, within your composite schools, normal typing, bookkeeping and technical shop-type courses. Through the Ontario Schools, Interme-

diate and Senior Divisions guidelines, students simply cannot take all of those options, so we are finding that some are going to have to be cut. They are also very expensive.

I do not think I should have to go through all of the figures in the appendix for the specific courses that have been dropped, but the figures are here and you can see them for all the courses that have been dropped through 1984-85.

Mr. Allen: I always appreciate a brief that focuses on a quite discrete problem.

Ms. Nielsen-Addison: We thought you might be interested.

3:40 p.m.

Mr. Allen: Yes. You referred to increasing competition down the road as a result of Bill 30 and I understand you also referred to the potential for increased competition with respect to the possible new regional model of French governance. I wondered if you intended to put it that way, inasmuch as if the French governance model for the capital region does come into play, it would be a regional consolidation in the three boards rather than the four you now have. In that sense it is less competition, is it not?

Ms. Nielsen-Addison: That is right.

Mr. Allen: The second point I want to pursue is whether there are other program models offered either jointly or where a single board in the Ottawa area has taken on a special responsibility for delivery of a specialized program on behalf of the other boards.

If memory serves me correctly, when we were in Ottawa we learned the trainable mentally retarded program was going to be handled by the Carleton separate board on behalf of all the other boards. Is that a model that conceivably could be followed with respect to your field as well?

Ms. Nielsen-Addison: That has to be considered. I think you have to go outside the vocational models. We are concerned about vocational education. You need to look at other subject areas to come up with the blueprints. We are saying we need comanagement. We cannot afford to have other boards competing for funds. We are still talking about youth. I do not care whether they are French, Roman Catholic or atheist; we are still talking about youths who have to go out and get either further education or employment.

We are saying that through this type of structure you have to be talking about competition. Some areas are going to have a larger tax base upon which they can afford to have more programs, perhaps a better and more up-to-date

type of technical program. We are saying that unless we have comanagement we are not following equity. We are saying whoever has the most can have the best.

We have seen what happened in England when they had their public and private school systems. I think it behooves us to be aware of falling into the same type of trap here.

Furthermore, I would like to express my view on what we have seen in Europe, say in Germany, where there is a large incentive for the private sector to be involved in vocational training. If you are going to consider having that kind of input, it would be very difficult for the private sector to deal with four different school boards coming and knocking on doors. We have that problem already with placement of students and co-operative programs.

We have to work together and we are already doing so. We are saying, in the implementation of Bill 30, take it that one step further and let us build on vocational education. Let us make it a viable option for our students. Let us consider it okay for our students to go to vocational education and not just say, "I would like John to go to university or high school." You are still dealing with 80 per cent of the population which does not go on to post-secondary education. That is the reality. With Bill 30, we are running into the possibility of further fracturing and further erosion of what we already have.

Mr. Allen: Would you agree that the delivery of technological and business education today is in some considerable trouble, quite apart from Bill 30?

Ms. Nielsen-Addison: Absolutely. There is no doubt about it. We have seen that through the OSIS guidelines. That is not just in Ontario.

Mr. Allen: Is that not more than just OSIS? Is that not also the fact of the immense cost of the equipment entailed?

Ms. Nielsen-Addison: I do not believe that.

Mr. Allen: To maintain up-to-date equipment is almost an impossibility for every board in Ontario.

Ms. Nielsen-Addison: We have to consider seriously where our values are. If we really believe vocational education is a necessity, it is up to you people to take it to the Legislature, it is up to you people to change the Education Act, it is up to you people to ensure there are at least 40 per cent of our dollars going towards that type of program.

Mr. Allen: I like your emphasis.

Ms. Nielsen-Addison: Attitude?

Mr. Allen: I like your emphasis on the delivery of technical education, for example. But we are very much aware of the problem of delivery in general, and in particular with regard to Bill 30.

Ms. Nielsen-Addison: That is right.

Mr. Allen: Has your committee considered the model of magnet schools, or single, specialized schools for whole regions?

Ms. Nielsen-Addison: We have them.

Mr. Allen: You have them, in effect, in your own schools and they could become that kind of school for the whole area.

Ms. Nielsen-Addison: Yes, that is right.

Mr. Allen: Basically, I do not think that is any problem for us, but whether we can effect a delivery—

Ms. Nielsen-Addison: Bill 30 becomes a problem for us, though.

Mr. Allen: The ministry, down the road, would have to provide the money to pay for those things. They have the control.

Ms. Nielsen-Addison: It becomes a problem for us because some of our students are going to school somewhere else and we will not have that blueprint, we will not have that model, and all people will say is, "It failed; it does not work; let us forget about vocational education. Let somebody else," and that is you and I, "pay for training down the road after they have graduated." I do not think that is fair.

Mr. Allen : I am with you.

Ms. Nielsen-Addison: Okay, I think we agree, but I am just re-emphasizing my point.

Mr. Davis: Thank you, I love it. I did not think we were discussing anything but Bill 30, but it seems the resolutions we have been receiving move us along and maybe—

The Vice-Chairman: Save it.

Mr. Davis: I was going to say that maybe there would be a resolution tomorrow, since my colleagues on this committee are all for increasing the funding to 60 per cent, suggesting that a certain percentage of that 60 per cent goes to vocational education.

The Vice-Chairman: It is very clear that this committee cannot spend money.

Ms. Nielsen-Addison: They must have a structure in place.

Mr. Davis: I would like to thank you for the brief. It is an excellent brief and I would like to thank you for the positive aspect of it when you

talk about the co-operative and joint management of those vocational schools. I was an advocate of vocational schools in the 10 years I was a school trustee and I still am. I think it is imperative.

Ms. Nielsen-Addison: We need more.

Mr. Davis: We need to encourage more, and the equipment.

I know the impact that OSIS has had on vocational and technical education in the province. In most school jurisdictions across this province, it is strongly suggested to students in grades 7 and 8, moving into grade 9, that they quickly get over the 16 credits they have to take. Right away, that necessitates a negative attitude towards the technical and vocational aspects of that program, especially double shops; they disappear.

There is an indication that somehow those students are going to be encouraged to pick up the vocational and technical aspects of their education around the beginning of grade 11. Has your committee looked at that and devised any special techniques to encourage students to do that? I have trouble understanding what will motivate them to do it if they do not pick it up in grade 9.

Ms. Nielsen-Addison: What we have are two magnet schools. We have students who can either go into those environments immediately after graduation from grade 8, or they can go in and still feel comfortable in their choices at the level of grade 10.

Let us say, for argument's sake, they start at grade 10. That is probably a better point, because in many cases you will find a grade 9 or 10 student who discovers later on, "This is not the way I am going to learn and become successful." They go to a hands-on educational environment and they suddenly get 90s in math. Their first year is an orientation year and they are encouraged to pick up a certain number of subjects in order to identify the specific orientation they wish to take. By grades 11 and 12, if they are going to finish at grade 12, our school-related modules are set up so that they will still have a full complement.

By way of answering you, the best way of saying it is that we have built skill-related packages that basically tell a student that if you start here and you want to end up over here, these are the things you must take. We are making it easy for them to identify what they have to take, whether they want to go directly to employment or post-secondary, with enough flexibility within it for them to make a change.

Mr. Davis: Can a student move into that module at the end of grade 10?

Ms. Nielsen-Addison: Yes.

Mr. Davis: And still receive the requirements?

Ms. Nielsen-Addison: Yes.

Mr. Davis: That is good. Thank you.

3:50 p.m.

Mr. Shymko: I wish to congratulate you on an excellent presentation of your brief, addressing a very important issue, that is youth unemployment, particularly the problem of trying to set up programs of general educational value in technical and commercial schools. The statistics you presented are probably equal in other areas where over 90 per cent of students do find employment. That speaks not only for the Ottawa-Carleton area but also for other boards in this province.

We have the statistics of the overall decline in population from 1972 to 1984. Does the figure you presented to us parallel, or is there a similar ratio for the decline in enrolment in technical and commercial programs?

Ms. Nielsen-Addison: I am not sure if you could say it is parallel or in line with it. That is an overall picture of total secondary student population. Where we see the decline in our vocational program is over the last three years through the implementation of the Ontario Schools, Intermediate and Senior Divisions guidelines. That is the one that has almost broken our back. That is when we had to come up with our student-related packages.

Mr. Shymko: I would have liked to see some figure showing the decline in the number of vocational students. To use the argument that the overall decline in one board is such and therefore proportionally you have the same decline in the number vocational students is not necessarily true.

Ms. Nielsen-Addison: No, of course; you have a point. In a letter that we would make available we could identify exactly what the impact has been. Over 17 per cent of our student body is attending vocational programs, which is low. I suspect if you look at other schools—

Mr. Shymko: It may have been the same proportion in 1972-74. I do not know.

Ms. Nielsen-Addison: Very likely; we have never told people this is a good way to go. We have always said, "Go white collar." We have never entertained the idea that going that way is viable.

Mr. Shymko: In addressing your recommendation and the serious concern we have, it is important to look at statistics before we jump to

any conclusions. I would not want to see the implementation of Bill 30 and the increase in student population in the separate school boards used as a scapegoat to argue the decline in some other areas. We have to be very careful before we reach certain conclusions. We should back them with statistics.

Ms. Nielsen-Addison: I do not think there is a point there. I do not think it is an issue of scapegoating. I cannot understand what you mean by that.

Mr. Shymko: What I am trying to say—

Ms. Nielsen-Addison: But I could certainly get you the figures on the decline in our vocational programs.

Mr. Shymko: What I tried to say about scapegoating is that you have reiterated a number of times the tragic situation of declining enrolments. There is no doubt the obvious causes are demographic changes, the baby boom, and so on. With the implementation of Bill 30, one uses the argument that boards have been decimated by declining enrolments; staff members, often those with seven to 10 years of seniority, have lost jobs; and that by implementing this we are destroying the whole system of public education, etc., and destroying vocational training.

Ms. Nielsen-Addison: We are saying you are fragmenting vocational education. You are setting up competitive boards. We are not saying anything further.

The Vice-Chairman: We are not getting through this question and answer period. Mr. Shymko, you finish your question; and then if you could respond when Mr. Shymko is finished we will get through it more quickly.

Mr. Shymko: I agree with you totally in your suggestion with respect to a regional approach, although I have my own views. I am sure members of the committees have other views. The concept of co-operative and joint management of schools is interesting. I wondered if you had looked at any section of the current bill, the purchase of services area section, for example. It would have been beneficial to the members of this committee had you looked at a particular section and suggested an amendment in the wording to get across the concept of co-operative and joint management.

Ms. Nielsen-Addison: Would you like us to come back to you?

Mr. Shymko: It is a very interesting proposal and I think you can achieve a great deal, because the concerns you have are shared by all of us. I think all members of the Legislature still want to

keep the interests of students in our schools as the first and foremost priority. I think you could make a major contribution to an amendment if you suggest something along those lines.

Ms. Nielsen-Addison: I appreciate that. Thank you.

Mr. Reycraft: The numbers you have given us supporting the success of your program suggest you have done some follow-up studies. I am interested in knowing just how broad those studies were. You talk about 99 per cent of the students in commercial courses, and 90 per cent in technical courses, finding employment or going on to further education.

Ms. Nielsen-Addison: We run that every year. We identify how successful we have been or what terrible failures we have had. We have always been successful with those programs. It is a yearly count of the number of students who find jobs through those programs.

Mr. Reycraft: Can you give us some indication of how they split out? How many of them—what percentage went on to community college or university and what percentage—

Ms. Nielsen-Addison: We could certainly give you that. I cannot give you that right now, but I could certainly get it for you.

Mr. Reycraft: How extensive has the follow-up been? Have you checked it just in the fall or have you done it again in February?

Ms. Nielsen-Addison: We check upon graduation in the summer. In June we identify the number of students who have obtained jobs or who go on to post-secondary education. As a matter of fact, I think they started doing the follow-through back in the early 1980s or late 1970s, but certainly I can tell you how we track that. We keep track of where our students are going, whether they are going on to post-secondary or whether they are going directly into employment, because we are concerned that our students who are leaving school go in some direction related to the type of programs they initially choose.

Mr. Reycraft: That is exactly what I am interested in knowing. How far have you gone in trying to determine the relevance of the training they have had in technical courses?

Ms. Nielsen-Addison: We are doing a study right now and I will be very glad to share it with you when it is completed.

Mr. Reycraft: I would really be interested in seeing that, Mr. Chairman. Thank you.

Mr. Henderson: My thanks and compliments on your succinct and excellent brief.

It occurs to me, as I listen to your remarks, that as legislators we believe that change occurs at least partly through legislation, but as citizens we also know that trial and error and experimentation etc. play an important part, sometimes to be recognized later in legislation.

It seems to me that in thinking of this whole dilemma of the dual system, dual funding and the feelings that are created by the prospect of extending funding, one of the solutions that one hears that seems to me to have something recommending it is the notion of expanded co-operative ventures, collaboration, some forms of joint management and perhaps even ultimately partial synthesis of the two boards.

I am struck by your remark on page 4 about co-operative ventures. I am wondering if you could just say a few sentences about that. Could you give an example or give me some sense of what—and I think Mr. Shymko perhaps was getting at a similar notion—can you say a little more about that or perhaps give me an example that will help me understand more fully how that could work?

Ms. Nielsen-Addison: An example of a co-operative venture?

Mr. Henderson: Yes.

Ms. Nielsen-Addison: If the ministry decides to go ahead with this and you want to entertain the notion of co-operative ventures, you want to have a managing body that identifies where the money goes, that accounts for where that money goes and that manages the programs to ensure all students have access to them irrespective of religion.

Mr. Henderson: That is the notion of the umbrella board, is it not, which—

Ms. Nielsen-Addison: That is right.

Mr. Henderson: —is really creating yet another bureaucracy on top of two bureaucracies. Is that the only way to do it, do you think?

Ms. Nielsen-Addison: I really do not know. What we are saying is there is a possibility here. It needs to be worked on, identified and you need to come up with a blueprint. We are merely saying it seems to us a co-operative venture is the way to go.

4 p.m.

Mr. Henderson: Can a school be jointly under the jurisdiction of two boards? Could that ever work?

Ms. Nielsen-Addison: I do not see why not.

The Vice-Chairman: Are there other questions from the committee? If not, thank you very much for being patient and waiting.

RONALD G. BIRCH

The Vice-Chairman: The final presentation this afternoon is from Mr. Birch. That is exhibit 644.

Mr. Birch: Do you mind if I stand up?

The Vice-Chairman: I think you will be picked up better by the microphone if you sit down.

Mr. Birch: I always do better when I am standing.

The Vice-Chairman: There is a tie mike there. If you really feel more comfortable, you can put that on your suit jacket.

Would you introduce your colleague?

Mr. Birch: Yes, I will. We want to thank you for accepting our brief and for the opportunity to highlight our presentation to you this afternoon.

I would like to introduce my soul companion, and that is spelled s-o-u-l. The rest of our executive are very busy and not able to be here this afternoon. I would like to point out that I have railroaded all my life, so I am running an hour and three minutes late.

We are, and always have been, a nonpartisan association. If nothing else, our presentation will be something of a change from what you have been hearing in the past few months. Nevertheless, we expect you to give it top priority because, if school funding is to be extended then we believe the basis on which most of the revenue for the education of our children is derived should be at least fair, equitable and understandable.

We believe our brief gives you good grounds to be sympathetic to our statement that property assessment in Ontario is a conglomerate mess, and we mean that in all sincerity. Our assessment was not done according to the Assessment Act. We hope you have had time to study our enclosures, because it would have made our brief too lengthy to cover all aspects.

For example, if you look at the second page of enclosure 11, we deal part-way down with the valuation of unimproved lands held by a bona fide developer as making a mockery of subsection 27(3), because these lands are valued at only one third of actual market value. The act does not provide for this in any section; therefore, this practice is illegal. I might draw to your attention that section 27 is now section 18 in the Assessment Act.

I would like to read you the reply we got when we took this up with the member for Durham West (Mr. Ashe), who was the Minister of Revenue at the time:

"With respect to your statement about developers' properties: with the highly speculative nature of such properties it is not uncommon for a prime parcel of development land to double or triple in value in a relatively short time. The assessor must give special scrutiny to sales involving development lands. He must be aware of the possibility of book values or costly escape options for the buyer. These items must be isolated and weighed in establishing the most likely selling price for such a parcel of land, certainly not an easy job."

We have studied the assessment book from cover to cover and we can find no reference to the two phrases "book values" and "costly escape options."

A good example of this farce is development land in north Toronto held by the oil companies and assessed as farm land. Most industrialists in Ontario now have become farmers to beat the tax rap. The equalization factors and the brief survey of the school boards in the Niagara region are further proof of the multifaceted quagmire referred to on page 1.

Even the good points in the appeal process are bad points. In 1983, when the provincial government's support to school funding dropped from 60 per cent to 48.8 per cent, the province reneged on its commitment by 12 per cent, which amounts to more than \$700 million, an added burden on property taxation. If the public school system is now underfunded, in our opinion Bill 30 will further erode the financial resources for public schools and the Ontario government will have to supply further funds to prevent an overreliance on property taxation.

The education of our children should be a top priority and the envy of every country in the world. Therefore, it should depend not on the wealth of the area in which a child lives but on the wealth of the province as a whole. Tax reform cannot be instituted in Ontario without first removing the school tax levied on property. You gentlemen, as politicians, should realize the importance of that statement.

The point we want to make clear to you is that we cannot have provincially funded uniform elementary education in Ontario until we correct the inequities in property assessment. This is why the removal of school tax from property tax should be implemented to provide provincially funded uniform elementary and secondary edu-

cation in Ontario. This loss in revenue should be picked up by the provincial government from increases in personal and corporate income taxes and from other revenues that are based on the ability to pay.

We believe that our home is our castle, be it ever so humble, and neither our home nor our business should be tossed on the market by a promiscuous broker to derive revenue to support a system that is unfair and inequitable and that disregards the law of natural justice.

Assessment on the basis of market value—and I do not care whether you are talking about true market value or reproduction cost appraisal or however you want to do it—is not related to a person's equity in the property, nor is the market value of property related to a person's net worth or income. The ability to pay has been completely ignored. Many people own property they could never buy at its present value with their present income, and you will realize the truth of that statement, gentlemen, when you get to be my age.

4:10 p.m.

Assessment on the basis of market value has no relation to the services received and it penalizes a well-kept property in comparison to one that is neglected, creating great social injustices and a property owners' welfare class. A return to humanistic and spiritual values, concepts with which this country began, and respect for the truth in day-to-day affairs is the only possible basis for a wholesome society. Market value assessment destroys this respect, pitting neighbour against neighbour, business against business, trying to relate value-comparable properties; and a comparable property under section 63, as one economist put it, is a very rare bird.

We believe the gut issue for both property taxation and school funding should be an issue not of cutting back but of what kind of cultural heritage we want for our children. Therefore, it is necessary that we focus on the long term, which means quality reform and revitalization.

The Vice-Chairman: Thank you very much. Are there questions from the committee?

Mr. Reville: I do not have a question, but maybe I can make a comment to Mr. Birch. I know you well in your never-ending quest for a fairer property tax, and I am sure you will bring your concerns to the attention of Mr. Epp, who unfortunately is not with us today. He sometimes sits on this committee. He is looking at the property tax situation at the moment. I am sure he

would be happy to hear from you again. Thank you for coming before us today.

Mr. Allen: I want to ask whether Mr. Birch has made a presentation to the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education.

Mr. Birch: Yes, we did.

The Vice-Chairman: Thank you both for coming before us this afternoon. This is another spinoff issue coming out of Bill 30 and education in general.

We can now return to Mr. Allen's motion, which we discussed very briefly earlier this afternoon.

Mr. Allen: I understand this resolution does not fall strictly within the terms of reference of this committee, which is dealing with Bill 30. I realize that any number of educational matters might be referred to in the course of the hearings we are undertaking and that members might well be tempted to bring forward resolutions respecting those matters and to use this committee as a vehicle for a never-ending barrage of the minister's office through this device. I hasten to say that this is certainly not my intention or else I would have been doing it day in, day out, because very many issues have been laid on our doorstep.

But it did seem to me there was a particular relevance to this question inasmuch as we are considering a procedure with respect to the security of public high school teachers under Bill 30, which by legislation we will be drastically affecting in respect of their existing seniority, benefits, salary levels and what have you, unless we are very careful.

What struck me about the Federation of Provincial Schools Authority Teachers' brief was that the province also currently has responsibility for a group of teachers who are likewise being affected legislatively under Bill 82 and, without wanting to attribute blame or fault anywhere, in the course of time obviously the protections provided to those teachers are very different from and fall very far short of what is being provided under Bill 30.

It seemed to me this was at least an inequity that was brought into play—in fact, created—by what we are proposing to do under Bill 30. It seemed to me the matter was close enough to the heart of Bill 30's concerns that it would be in order for this committee to at least convey its concern to the minister and ask him to look

urgently at the question and see whether there is a problem and, if so, to hope he would do something about it. That was the rationale I had for bringing this forward.

I would hate to see this become a precedent for a miscellaneous attack on the ministry, either present or past. The anomaly we have is not something anybody foresaw in 1980, when Bill 82 was passed. It simply happens to be the case that this anomaly is now there. Therefore, I do not want this motion to be viewed as a criticism of any past government.

It simply happens to be a circumstance created by the initiative being undertaken in Bill 30, and therefore I think it should come to the minister's attention, preferably with our concern attached to it. I am aware that the minister, through the routing of membership on this committee, the parliamentary assistant and the fact that his executive assistant has been in these hearings, will undoubtedly be aware of this point by now.

None the less, it could be of some value for the committee to say this strikes us as a matter of some concern which the minister should address very quickly. Inasmuch as the divestment of these schools is in progress and teachers are at this point being affected, some protection analogous to what is provided under Bill 30 might, in all justice, be dealt to them as well.

Mr. Vice-Chairman: Thank you, Mr. Allen. I do not see any other committee members on the list.

While I understand the point you were making in the discussion that took place on Friday and while I agree, and I think the majority of committee members agree, that an inequity or a problem has developed under Bill 82, it is my opinion that this is not directly related to Bill 30, although it is a parallel situation. Therefore, I will have to rule the motion out of order.

However, I think you have accomplished your objective, in that the matter has been further debated in the committee and ministry officials and the parliamentary assistant are here. I assume they have taken note of it and I hope something will result from that, but the motion itself will have to be ruled out of order.

Mr. Allen: I sincerely hope the result will be that some action will be taken.

The Vice-Chairman: We will meet out in front of the Legislature at 5:45 p.m.

The committee adjourned, at 4:18 p.m.

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Cooke, D. S., Vice-Chairman (Windsor-Riverside NDP)
Davis, W. C. (Scarborough Centre PC)
Gillies, P. A. (Brantford PC)
Henderson, D. J. (Humber L)
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Reycraft, D. R. (Middlesex L)
Shymko, Y. R. (High Park-Swansea PC)

From the Muskoka Board of Education and the Ontario Secondary School Teachers' Federation, District 40, Muskoka Division:

Green, M. R., Chairman, Muskoka Board of Education
Munce, G., President, Ontario Secondary School Teachers' Federation, District 40,
Muskoka Division
Rowe, M., Trustee, Muskoka Board of Education
Whitfield, C. R., Director of Education, Muskoka Board of Education
Birch, R., Private Citizen
Nielson-Addison, B., Chairman, Advisory Vocational Committee,
Ottawa Board of Education



No. S-44

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, September 19, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)
Allen, R. (Hamilton West NDP)
Davis, W. C. (Scarborough Centre PC)
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Guindon, L. B. (Cornwall PC)
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 19, 1985

The committee met at 10:05 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: Good morning. I call the meeting to order. I am pleased to be back and to start as promptly as possible, as we did in the past. I would appreciate it if members would not smoke. I watched some of your bad habits on TV while I was away and was quite disturbed to see you regressing so quickly.

I have a couple of announcements before we proceed with our first delegation. As you know, tomorrow is a special sitting. It will be in the Ontario Room of the Macdonald Block, for the presentation by former Premier William Davis. It will be at 9:30 a.m. and we will conclude about eight or nine minutes before the beginning of installation procedures for the Lieutenant Governor.

We have worked out a means of how we are going to divide the time equally among the parties for questions. I gather it has been agreed by the steering committee and I will follow it, based on one question for the chairman and one for each party. That is an appropriate approach.

I also have a letter I would like to read into the record, which I received in my office yesterday from Mr. John Tolton, chairman of the Metropolitan Toronto School Board. We will make this an exhibit as well, but I would like you to be aware of it at this time.

"Dear Mr. Johnston:

"When the representatives of the Metropolitan Toronto School Board appeared before the standing committee on social development on August 12, 1985, we included in our brief the legal opinion of Mr. Brian Kelsey, QC, to the effect that the provision of interim funding of Roman Catholic separate secondary schools would be *ultra vires*. (Reference pages 36 to 40 of our brief.) On that occasion, members of the standing committee asked what the intention of the school board would be in regard to interim funding.

"I would inform you that at a special meeting of the school board on Friday, September 13, 1985, the following motion was passed unani-

mously by the Metropolitan Toronto School Board:

"That the Metropolitan Toronto School Board initiate at the appropriate time the necessary legal proceedings to determine whether the provision of interim funding to separate school boards for the purpose of providing secondary education by means of amending regulations prior to the passage of Bill 30 is *ultra vires*."

"On Monday, September 16, 1985, the Minister of Education released a memorandum announcing the provision of interim funding to Roman Catholic separate secondary schools.

"Therefore, the Metropolitan Toronto School Board will be taking the appropriate steps to effect the intent of the motion approved on September 13, 1985.

"Yours very truly, John Tolton."

I will send that to all members. I presume it means the time of the actual passage of the money or sending of the money towards the end of the month would be considered the appropriate time, inasmuch as we have not heard it has been initiated at this moment.

Without further ado, I would like to welcome members of the Association of Large School Boards in Ontario and ask you to introduce yourselves for purposes of Hansard and then take us through your brief.

ASSOCIATION OF LARGE SCHOOL BOARDS IN ONTARIO

Mrs. Waese: Thank you. I am May Waese. I am president of the Association of Large School Boards in Ontario. I am also chairman of the North York Board of Education. I will introduce my co-presenters this morning. On my left is Ruth Lafarga of the Durham Board of Education and on my right is Ron Marion, chairman of the Niagara South Board of Education.

We are also pleased to have with us Lorraine Flaherty, executive director of ALSBO, and seated in the first row just directly on our right is Bert Chalmers, associate director of the Peel Board of Education and Jack Webber, superintendent of business for the York Region Board of Education. They will be helping us answer any questions.

Our oral presentation this morning does not follow our written submission, which you will

find in your kits. However, we will refer you to specific pages in the written document as we proceed. We are prepared to answer your questions when we have made our formal presentations.

Mr. Chairman: Go ahead.

Mrs. Waese: On behalf of ALSBO's 19-member board, I welcome this opportunity to express our views on Bill 30. I should say, however, that ALSBO appears before you with reservations.

First, ALSBO supported the Metropolitan Toronto School Board's call for a referral of Bill 30 to the Ontario Court of Appeal. We recognize we are commenting on the legislation without its constitutionality having been determined. ALSBO therefore requests the opportunity to comment further when the court has ruled.

Our second reservation concerns the process itself. While pleased that the present government acceded to the demand of many people for an open discussion of the legislation, ALSBO feels that full consultation has not occurred. The committee has a mandate to review Bill 30 and recommend amendments, but the preliminary discussion of the philosophical and social ramifications of the decision to fund Roman Catholic secondary schools did not take place prior to the introduction of Bill 30.

Former Premier William Davis apparently made his decision in isolation from the formal education community. All three political parties refused to debate the issue in the provincial election campaign. Premier David Peterson, while trying to succeed with this issue, has actually hampered the process by limiting the committee's ability to deal with a full range of philosophical, social and educational issues.

ALSBO recognizes that the three political parties are committed to funding the separate secondary schools. Consultation, therefore, has the appearance of window-dressing. ALSBO hopes the critical decisions have not yet been made. The critical decisions we feel the committee must make include the following:

To recommend to the government that funding for grades 9, 10 and 11 in the separate schools at the secondary rate be rescinded immediately until the court has ruled on the constitutionality of Bill 30.

To decide on the impact Bill 30 is having on the viability of the public school system and to decide on the impact of Bill 30 on the studies currently under way by the commission on private schools and the commission on financing education, respectively.

To recommend to the government that the mandate of the commission on financing education be expanded to include a study of the overall level of provincial funding required to support public education in Ontario, including the possibility of a full range of secondary school programs in the Roman Catholic school system.

These crucial decisions must be made, and the views and concerns aired by public boards and private citizens alike must be given credence. Otherwise, ALSBO joins countless others who are muted on the basic issue, but not on the mechanics of policy implementation.

We have a final reservation. ALSBO was concerned about speaking out on an issue that is before the courts, but providing input into Bill 30 was an equally important concern. By commenting, ALSBO is not giving tacit approval to Bill 30; rather, we wish to ensure that the public boards' concerns are reinforced for the committee on its deliberations and on the amendments.

The June 1984 announcement of funding for Roman Catholic secondary schools raised concern across the province about the possible funding of other denominational schools. The subsequent establishment of the Commission of Inquiry into the Role and Status of Private Schools in Elementary and Secondary Education in Ontario strengthened this concern.

ALSBO, like many other organizations, is seriously concerned that public funding for private and independent schools will result in the fragmentation and deterioration of the public school system. The possibility is real that the public schools will become the repositories for students who are hard to serve, who have expensive program requirements or who will not be accommodated in the private schools.

The voucher system in the United States is a contributing factor to the state of that country's public schools and shows the harm done when public funding for education is undirected and tax dollars follow the child. The American education community admits it is in a state of crisis, and this analysis was stated in the US report entitled *A Nation at Risk, The Imperative for Educational Reform*, in April 1983. I feel that public education here must learn from America's mistakes.

Bill 30 is directed only at the funding of the Roman Catholic school system. There is little doubt, however, that this government precedent is inspiring hope among other denominational groups about future public funding for their independent schools. Ontario's funding of public education is now at an all-time low. There are no

new sources of revenue, we are told, to improve the financial situation of most public boards. How then can the province consider funding alternative and independent schools?

ALSBO urges committee members to step beyond their mandate and recommend that the government not take any further action to erode the tradition of service that public boards have provided. If parents choose to send their children to private schools, that is their prerogative. The public school system cannot afford to be fragmented further.

One positive recommendation the committee could make with respect to private school education would be to suggest that public boards study incorporating these schools under their umbrella. The concept of a unified school board or a consolidated school board or an umbrella school system may have merit.

Although we have not examined these alternative governing structures in detail, ALSBO is recommending to the three political leaders the formation of a select committee of the Legislature or a royal commission to study the governance of education. This select committee could examine the unified school board approach to see if it has potential for Ontario. With a variety of alternatives, including religious options available from the public school system, Ontario would be well prepared to meet the learning needs of students into the new century.

Although specific comments on the authority given to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario in Bill 30 will be made later in this presentation, ALSBO is concerned that the commission is continuing with the implementation without restraint.

Local solutions to local problems are not being found, yet the commission is still approving plans and, in fact, misleading the public by claiming agreements have been reached between coterminous boards. To illustrate, the Windsor Board of Education is one of 40 boards cited by the commission as having agreed to plans submitted by the coterminous Roman Catholic school board.

In a recent letter to the Minister of Education, the chairman of the Windsor board called this claim a "distortion of facts." The Windsor board had not agreed or disagreed with the plans submitted by the separate board. It merely signed the plan to signify it had been reviewed. This was the direction given to the boards by the ministry.

Co-operation between coterminous boards has been halted in many jurisdictions, as boards await the court ruling, but the impression is left by the commission that implementation is under way with the approval of all concerned. The committee must insist that the commission cease and desist from aiding implementation until the court has reached its decision on the constitutionality of Bill 30.

ALSBO recommends further that if Bill 30 is passed, all plans approved prior to that date should be reviewed to ensure that they are consistent with the provisions of the legislation and that they meet with the requirement of being in the best interests of public education.

Bill 30 contains inadequate protection for the public school system. Little thought has been given to whether the public system can remain viable if forced to compete with the separate system or if forced to accept students the separate board will not serve. No ironclad guarantee is provided to the public schools in Bill 30. They will be administered entirely at the discretion of the planning and implementation commission.

10:20 a.m.

There is no appeal mechanism for a public board opposed to the delivery of secondary school programs by the coterminous board because it would put the public school programs in jeopardy. The committee must be sensitive to this very real issue and respond to the public board's concerns. For example, does Bill 30 improve the quality of educational opportunity? Will it create divisiveness among students? Bill 30 limits students' access to programs, staff access to jobs and parents' choices for their children's education.

Does Bill 30 strengthen the tradition of public education as free and open to all? Bill 30 is promoting the eventual fragmentation of a fine system. Surely this is not the intent of either the previous or the present government. Bill 30 must be amended significantly to ensure that the public school system remains a viable entity with all the necessary resources to meet the needs of all learners.

The provincial government does not seem concerned that the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education has not presented its report. Although the commission is examining some of the current problems in education financing, it does not have the authority to study the real question, namely, the level of provincial support required to fund Ontario's public education system.

The commission is not even looking at what funding is needed to finance an extended Roman Catholic secondary system. It appears that there are no new revenue sources available to the government to increase provincial funding for education or to finance the political decision to fund separate secondary schools.

Former Premier Davis promised that the new separate system would not be funded at the expense of the public system. There is no evidence to allay this fear. Public and separate boards are still in the dark about the level of funding from the province required to finance two education systems. We know that the Liberal government and the New Democratic Party are committed to moving closer to a 60 per cent provincial share of the cost of education. How such a commitment can be honoured, however, escapes us.

ALSBO believes that the standing committee on social development will be derelict in its duty if it does not recommend the expansion of the terms of reference of the present commission on financing elementary and secondary education. If this body is expanded to include experts in education finance, solutions to the severe funding problems can be found. ALSBO regrets that this opportunity to develop new models for financing education, which are vital to the future of educational opportunities and quality, may be lost without the committee's intervention.

Another legitimate concern is that Bill 30 conflicts with other education legislation. Bill 82, for example, requires all boards to offer a full spectrum of special education programs. Since separate school boards do not have these programs in place at the secondary level, it is conceivable that they will want to enter into purchase agreements with public boards as outlined in Bill 30.

ALSBO's concern is twofold. First, by purchasing programs, the separate boards can opt out of offering special education. The public school system then becomes the centre for the hard to serve and the expensive to serve. According to our sources, some separate boards are already counselling parents to redirect their tax support to the public board to gain free access to expensive specialized vocational programs in grades 9 to 12. This means that separate school pupils will be educated at no cost to the separate board.

This loophole in the legislation must be eliminated to prevent tax switching and, through it, the avoidance by separate boards of their responsibility under Bill 82. Both the public and

the separate boards have an obligation under Bill 82 to offer the full range of special education programs. If separate boards must purchase these programs, public boards must be fully compensated for all program costs.

Where the economic viability of a program is in question, the committee could encourage coterminous boards to co-operate in jointly managing the program. The model used by the four boards in the Ottawa-Carleton region to offer special education programs to their students is worthy of the committee's attention. Co-operation of this type would help to ensure that the best interests of public education are being met. Incentives in Bill 30 to encourage co-operation will be required.

If Bill 82 is applicable to the public boards at the secondary level, it must also apply to the separate boards. The latter cannot be allowed by Bill 30 to avoid their responsibility in this regard.

Conflicts with Bill 100 are also possible, according to board staff who are experts in the collective bargaining field. In the Windsor Board of Education, for example, conflicts are already arising because the provisions of Bill 30 contravene the local secondary collective agreement.

This year the Windsor board has declared five teachers redundant because of the extension of funding to the separate schools. These teachers have been placed on the designated list, and until they are absorbed by the separate school, their salaries and benefits will be protected.

Next year, if the board declares five teachers redundant because of declining enrolment, these staff members will be fired. They will, however, have more seniority than the teachers who are redundant because of the separate school funding issue. The protection of these latter teachers is in direct contravention of the collective agreement, which specifies that the board cannot retain teachers who have less seniority than those released due to declining enrolments.

The committee can imagine the conflict in which the board may find itself with the Ontario Secondary School Teachers' Federation. It is a situation that is both unwarranted and unwanted. Bill 30 will generate many such labour disputes, because it is designed for provincial application; it does not take into account local contract requirements.

The committee should be aware of the potential for labour unrest if Bill 30 is not sensitive to the provisions of collective agreements in such areas as declaration of surplus and redundancy, grievance procedures and arbitration matters. An examination of Bill 30 and Bill

100 in conjunction with school boards and teachers' federations would be wise if the legislation becomes law.

Finally, the Association of Large School Boards of Ontario wishes to indicate its support for those presenters who raised the issue of the impact of Bill 30 on elementary education.

There is little doubt that funding the separate secondary system will have an impact in 10 to 15 years on the public elementary system. The net result for the public schools may be staff displacement and a potential reduction in the quality of education.

The problems anticipated must be examined. ALSBO strongly urges the committee to recommend to the government that ongoing consultation be held with school boards and teachers on this important issue. The province cannot afford to ignore the future of elementary education.

At this point, I call the committee's attention to specific issues in Bill 30. We will address matters pertaining to program offering, personnel transfers, trustee representation, assessment and funding losses to public boards and other provisions meriting closer scrutiny if Bill 30 is enacted. My co-presenters will highlight these ALSBO concerns.

10:30 a.m.

Mrs. Lafarga: I would like to speak on some of the program implications of Bill 30. It is timely in the political discussions of education to remind ourselves that education is all about programs for students. The member boards of ALSBO have a great pride in the education system. The pride is a result of the programs we offer; that comes from the number and range of options we are able to provide and the quality of the programs.

Unfortunately, with the duplication we feel will happen under Bill 30, we feel this will be destroyed and we will not be able to offer either the level or quality of service we currently offer.

Many of our programs are expensive to provide. I am sure these have been identified for the committee on many occasions, but I would like to mention basic-level programs, technical, vocational, the full range of special education programs from gifted to the developmentally handicapped and adult and continuing education programs.

We believe the ministry should encourage co-operation between coterminous boards through joint management arrangements where they did not exist in the past. A final draft of Bill 30 that was going to be presented by former Minister of Education Mr. Grossman allowed for

this possibility, and this certainly deserves the consideration of this committee.

One area of particular concern to us is that of continuing education. ALSBO points out that Bill 30 gives Roman Catholic school boards the right to perform all duties associated with secondary school programs under section 136c. The duplication of continuing education and other special programs is to be avoided.

Public boards have developed extensive and comprehensive programs in adult basic education, adult literacy programs, shift workers' programs, programs for credit for seniors in seniors' centres, upgrading credits for citizens and a full range of noncredit courses in summer school. We have specialized people on staff and the resources to provide these programs.

The 1985 continuing education school board administration survey estimated that some 300,000 citizens are involved in continuing education programs each year in Ontario. We serve all adults irrespective of their tax support. We feel a duplication of this will only have negative changes in the province.

Unnecessary competition and fragmentation of the market will reduce the quality and level of service available. For example, if there are not enough people enrolled in courses between the two boards, they will not be offered. There will be a duplication of administration costs as both boards set up administration for providing those services. There will be a need to trace the tax support of seniors. Public board staffs find it abhorrent to go to people and ask what their religious affiliation is.

The loser in the whole process will be the adult learner, who under subsection 39(6) of the Education Act is entitled to seven years of secondary school education. Noncredit-course participants will lose access to programs based on their tax support. Will there be a purchase-of-service agreement for these programs? Will public boards be forced to refuse entry to a separate school supporter? Will public boards need to charge higher fees for these programs and in fact quite expensive fees?

Ministry memorandum 54, published in 1967-68, delineates the program responsibilities of school boards and community colleges. This precedent establishes that something must be done to avoid unnecessary duplication and that the ministry must take responsibility in this area. A parallel system offers no gain and many losses for education in Ontario.

Section 136d of Bill 30 allows Roman Catholic school boards to enter into purchase-

of-service agreements. Will public boards have the same option? They should, because if coterminous boards are encouraged not to duplicate programs, they must be able to purchase service in the high-cost French-language and technical programs. Will non-Roman-Catholic students be protected from the religious overtones in these courses, should this eventuate?

Another concern of the member boards of ALSBO is the accessibility to programs. I am referring in particular to section 136o. The proponents of the bill claim Bill 30 guarantees universal access to both systems. However, we feel subsection 136o(2) is at odds with the guarantee. I must emphasize that ALSBO's position on universal access is inflexible; equal and unrestricted access is a precondition of public funding.

Bill 30 allows a non-Roman-Catholic access only if accommodation is available. We have asked that accommodation be defined. Is it physical space? Is it space in a program? Some of our collective agreements do have class size limitations. What would happen if we had one or two over the number of students enrol? Can the accommodation provision in Bill 30 be administered to permit discrimination? Is there an appeal mechanism?

Can Roman Catholic students refused access on this basis change their taxes? As has already been mentioned by Mrs. Waese, in some cases they are being directed to do this. We must state that this is discrimination to non-Roman-Catholics. Roman Catholics would have access to two systems; other people in the population would have access only to one. We recommend that the legislation be changed so there is universal access for all students to both systems.

Subsection 136o(6) deals with the exemption for religious education. Bill 30 provides public funding for Roman Catholic separate schools. ALSBO opposes public funding being used to promote the imposition of the religious values of one particular group. We state that the exemptions are not broad enough. Every student must be guaranteed exemption. We recognize it should be in the form of a written request. Depending on age, we believe the parents or guardians must consent.

ALSBO opposes the planning and implementation commission having the final say in compelling students. The right of exemption should be guaranteed if public funding is to be extended to the separate schools for secondary education. The Carleton Board of Education, a

member of ALSBO, has suggested a solution to this problem. It has approved a resolution calling on the Ministry of Education to permit public boards to offer credit courses in religious education. The students in the French-language units could then earn the necessary credits in this area. We recommend that the committee consider this option.

We feel Bill 30 reduces the options for students in the province by the creation of a parallel system as a result of the compulsory credit requirements of the Ontario Schools, Intermediate and Senior Divisions guidelines and, because of the declining enrolments many boards are still facing, a problem even for the large boards of the province.

These three matters compounded will reduce the program options for students. Should enrolments drop below 18 to 22, in many areas that will threaten programs in machine shops, refrigeration, air conditioning and applied electricity, to mention a few. In some jurisdictions, the erosion of program options for students would be a grave concern. We ask the committee, is it the intention of Bill 30 to deprive students in Ontario of educational opportunities?

10:40 a.m.

There are some other concerns I would like to touch on. Even for large boards in mature neighbourhoods, with the development of two school systems, we could see the possibility that we would have to close schools. Everyone in this room has gone through the process of closing schools. It is not something I would recommend that people go through if they want to enjoy life.

It is extremely difficult to close an elementary school. It is much more difficult to close a secondary school. A secondary school is very much the community school. It means that students have to transfer very long distances to another school. The threat of this is something we feel will be very disruptive and divisive in areas.

In newly developing areas—and I speak very well of this as a trustee in Durham and in York—it may be that we will have the problem of accumulating enough students to justify a new school. This again could mean the extensive busing of students.

I do not believe I have to go into extensive detail with the committee on the small school syndrome; I believe members have had to face that. Nevertheless, ALSBO knows situations where this may be created—multigrade classes, multilevel classes and fewer options available for the students. It is a problem. I am sure the

Ontario Institute for Studies in Education report on the small school syndrome has been mentioned to you on a number of occasions. ALSBO urges the committee to make recommendations that will not reduce educational opportunities in the province.

The sharing of facilities, I believe it has been stated, is something that will happen in the province; and by stating it, the inference is that it is going to happen. Although the intent may well be to achieve these agreements, that is not always possible. In fact, discussions between ALSBO boards and coterminous separate boards are breaking down as a result of Bill 30.

In one jurisdiction there was a school board where was the possibility of cosharing to house all the students in the two systems; they would attempt to schedule the equipment, the facilities and the programs for common use. As a result of Bill 30, however, the separate school board is rethinking the need for its own school in the jurisdiction. We would be prepared to release the details of the discussions should the committee request it.

Another major concern of the member boards of ALSBO is on program costs, and our president has already alluded to them. I am referring here to section 136d. The brief requests the need to establish criteria in the best interests of public education. Again, section 136d states that separate school boards will be able to purchase service. We must emphasize that should this occur, they must be the actual audited program costs rather than the fees calculated by the regulations. There is quite a difference between the two figures. In fact, there has been a long-standing dispute with the province on the fee calculation and purchase-of-service agreements.

Public boards must be compensated adequately for the cost of developing and operating programs. For those of us who work in education on a daily basis, it is not just the provision of the programs in the classroom. We tend to think only of the associated teacher costs. There is a very expensive component in developing programs, in writing new courses of study, in the professional development that is associated with the delivery of programs and in the evaluation component in delivering programs. These are just a few of the components that must be taken into consideration.

Public school supporters in this province should not subsidize separate school students for educational costs. This committee should recom-

mend that the fees reflect the actual direct and indirect costs to the receiving board.

I thank you very much for your consideration of these program matters.

Mr. Marion: I would like to refer to the fact that Mrs. Lafarga pointed out to you the importance of a secondary school to a community. She noted it has been very difficult to close a school and will be equally difficult to designate one as a school to be transferred to a Roman Catholic separate board.

Until recently, the provision for the sale of school sites and business buildings existed in the ministry's education and capital grants plan. This past summer, in anticipation of the passing of Bill 30, the ministry suspended the sale process even though it was quite adequate.

Representations have been made to you by a number of boards, and it is definitely our position as well, that public boards have the right and obligation to determine which facilities they require for the continuance of their secondary school programs.

Although the legislation provides that both the choice of and the fee to be paid for the sale of schools and sites will be determined by the commission, this is entirely objectionable. Public boards and public school supporters are entitled to compensation for any property, buildings, furniture or equipment in their possession. As trustees of the public school system, it is our responsibility, and we have taken it upon ourselves to protect the equity of the public school ratepayer in the past.

With respect to the planning and implementation commission, initially the commission had restricted powers to simply review plans and recommend to the ministry their approval. But obviously, from the legislation, these powers have been broadened; now the commission will function in a quasi-judicial manner.

The commission has four distinct roles under the legislation. The first one is to approve plans, to oversee them and to ensure their implementation. If problems develop, they will mediate disputes. Once they have done that and if that fails, they will adjudicate over the disputes. If they make a decision, they will enforce their decisions upon the boards.

It is somewhat questionable whether the same commission should perform all those functions as well as legislate under clause 136s(5); that is, have the power to create guidelines. Even more startling is the fact that once such broad powers have been vested in the commission, there is no right of appeal from its decision.

During these hearings, the Minister of Education (Mr. Conway) stated that he wished to distance himself from the implementation process to prevent it from becoming too direct and political and losing its legitimacy. We say to you, gentlemen, if there is an issue that is political, this is obviously it. We cannot point to any study, fiscal or educational in nature, which has motivated this provincial initiative. Thus we note that if the honourable minister or government wishes to seek shelter from Bill 30, that in itself speaks to the obvious inadequacies and ill-known consequences of the enactment of this legislation.

ALSBO refuses to allow public school boards to be placed at the whim and discretion of an administrative tribunal; we insist upon political accountability. Let the minister ultimately answer to our constituents. We insist upon a right of appeal to assist us in protecting the best interests of public education. Where the commission acts both in a legislative and a judicial function, with such a wide scope of powers, a right of appeal is necessary.

Where a commission is given the task of writing rules, enforcing them, mediating disputes and conducting trials for the parties, one can only hope the commission is composed of open, unbiased and learned people. The manner in which the present commissioners were appointed leaves a great deal to be desired. Affiliation with a religion or a system of education are qualifications which, as prerequisites, can only obstruct the processes of ensuring that the best interests of public education are served.

The present constitution of the commission undermines the credibility of the process and the value of their findings or recommendations. Reports of block voting, abstentions from voting and the existence of minority reports point up the biases of the commission members. Members of the commission and of this committee must shed any bias by political, religious or other affiliation, or they should resign; otherwise a blind eye may be turned to the educational welfare of the children of this province. In the future, we suggest the nomination of individuals committed to education without apparent vested interests. Educational associations would be able to nominate suitable candidates.

10:50 a.m.

There is further evidence in Bill 30 of the government's desire to shelter itself from the repercussions of this legislation under the previously quoted clause 136(s)(5).

The commission is to establish guidelines dealing with the designation of redundant staff. We fail to understand why the commission will not enact regulations to control this process as opposed to guidelines. Is it that regulations are compelling? Is it that if the commission exceeded its jurisdiction with respect to regulations it would be subject to judicial review, or is it that before regulations are passed, advanced consultation and scrutiny must take place? ALSBO sees no plausible reason why regulations should not be insisted upon.

Mrs. Lafarga: I would like to deal with some of the staffing issues we are concerned about under Bill 30. Staffing issues, as you are aware, are very complex for school boards. We, as employers, have a major responsibility to our staff in this area. The current regulations under Bill 30 are inadequate.

ALSBO supports the recommendation that positions rather than persons be designated. I am referring to subsection 136(1). The number of positions, once designated for the coterminous board to take from the public board, should be based on the pupil-teacher ratio of the sending board.

We further recommend that volunteers or transferees from the public system should have the same protections as exist in their current collective agreements until the Roman Catholic boards can match or surpass them.

Section 136l states that designated persons must accept positions with Roman Catholic secondary schools or be terminated. As a matter of principle, some people may object to working for a religious institution. Again, ALSBO supports that right; that is, the right to reject employment on religious grounds. The government will have to assume the financial responsibility for staff members who refuse employment on religious grounds.

Subsection 136l(8): ALSBO does not support the idea that teachers made redundant by provincial initiative should remain the responsibility of the public system and, through the public system, of course, the public taxpayers of this province.

What should the public board do with these people who have no designated employment with it? How long would the province suggest paying for these people? It has been drawn to your attention before that the average secondary salary is approximately \$40,000 now. To keep one person on staff for 10 years would cost \$400,000. Obviously the \$6.1 million budgeted will not go very far with this initiative and brings into

question the responsibility of paying people not to work.

We raise the question with you also, does Bill 30 supersede Bill 100, the act regarding negotiations with school boards? Under Bill 100, all items are negotiable: the number of staff a board employs and the assignment of that teaching staff. We feel Bill 30 has the potential of being in conflict with negotiated agreements.

Subsection 136l(3) states that separate school boards will have to take staff only if they can match the positions and the qualifications and if they are substantially similar. Public boards that have faced declining enrolment situations have had to work with qualifications of designated staff in the past. Constant shifts in the demands for courses, many of them as a result of provincial initiative and programs, have meant that public boards have had to manage this aspect of their staffing. We do not feel separate school boards should have the right to take only the people who fit the positions as they see them.

We have asked you to define "substantially similar." We draw to your attention in this area the example of a painter who may be employed by a public school board. It would be possible that the coterminous board, if it had a requirement for that, could contract out in that area. In that case, there would not be a substantially similar position available. What then would happen to that position? Whose responsibility would that person be?

Subsections 136l(12) to (18) deal with the provisions of sick leave and retirement gratuity, certainly very controversial items. However, when staff transfers to the Roman Catholic school board, there should be no residual responsibility for the public boards and again, through the public boards, for the public taxpayers of this province. The public boards should not be liable for the fallout from provincial initiatives.

Subsection 136l(16) does not recognize that sick leave and retirement gratuity are not the same thing. Both items are negotiable under Bill 100, and some boards do not have retirement gratuity clauses for new employments. We believe these matters should be removed from the Education Act and left to negotiations under Bill 100.

With the present recommendations from the commission, would the charge for the payout of sick leave, as is proposed, be charged to the sending board, the receiving board or the commission? We would suggest to you that those

costs would not be recognized in the grant regulations to boards.

We are telling you a lot of things that we do not want you to do. Now I am going to tell you something we would like you to do. Bill 30 should provide some guidelines—and in this case we are asking for guidelines, not regulations—for boards to differentiate between staff declared redundant as a result of declining enrolments and those declared redundant as a result of the government initiative to extend funding.

Thank you very much for your consideration of the staffing issues.

Mr. Marion: Before I talk to you about funding, I must indicate that before we began, I found a penny under the table here and I bent down and picked it up. It is symbolic of the fact that the trustees of this province have been trying to scrape to get all the pennies together to pay for education. I hope this is symbolic of the reception our submission is going to receive.

Mr. Chairman: It is definitely worth more than that.

Mr. Marion: In fact, I will donate it to the province, because you are going to need it, according to our submissions.

Mr. Chairman: You might be wise to donate it to your own board right now.

Mr. Marion: That is a good idea.

In our 1984 brief to the planning and implementation commission, ALSBO recommended that the level of funding to the public school system be maintained, if not increased. This level of funding would permit a continuation of the excellence, diversity and accessibility of programs and services now provided by that system.

Bill 30 does not suggest that funding for the public school system will be increased; rather, no assurance is given by the legislation or otherwise that then-Premier Davis's promise not to finance an extended separate system at the expense of the public system can or will be kept.

Two areas in which ALSBO believes the public system is being financially disadvantaged deserve comment. The extension of funding to separate schools will result in local assessment loss and will reduce provincial funds for the public system.

Because the transfer of separate secondary assessment is made automatic, public school supporters will be faced with dramatic tax increases. This is the result initially of the underfunding of secondary education within the current grant ceilings. Sixty-nine of 71 public

boards in Ontario provide secondary services at a cost in excess of the ceilings. This additional cost is now borne completely by local taxpayers. The loss of separate secondary assessment will only add to this by reducing the assessment base available to the public board for taxation purposes.

The Carleton Board of Education, for example, will have to pass on a 12.7 per cent increase to secondary public ratepayers as a consequence of losing the separate assessment base. The tax increases to secondary ratepayers for all our member boards as a direct result of lost assessment are included on page 26 of our clause-by-clause comments.

ALSBO would prefer to see parents decide which system they will support rather than have this decision made for them by the province. Further, the right to direct tax support to one system or another is available not to all ratepayers but only to Roman Catholics. This situation is inequitable to the Ontario taxpaying public.

ALSBO is aware that the provincial government's coffers are not bottomless, and trustees throughout this association have faced that reality and preached that doctrine. We see that the extension of the separate system will cause more money to be spent to educate the same number of students or fewer. Where will this initial money come from? The creation of a parallel system, even in a time of affluence, would disadvantage students in the public system because expenditures for building and equipment will be directed to the new, expanding system.

11 a.m.

In these times of financial restraint, whatever limited funds are available for capital expansion and furniture and equipment purchases will wind up going to the Roman Catholic system while students in the public system are using obsolete equipment. Public boards are already faced with an ageing capital stock with no hope of provincial support for major renovations.

The revision upwards from \$40 million to \$80 million as the estimated cost of the extension underscores the difficulty of identifying the real cost of this initiative. Who will determine the final cost of this initiative, and how will it be calculated?

Our fears of continued underfunding should have ebbed with the recent change in government. After all, both the Liberal and New Democratic parties support a significant increase in provincial funding to school boards. However, the Treasurer (Mr. Nixon) says this commitment

is very expensive. It appears the fulfilment of this political promise is unlikely.

School boards, parents, political parties and the Minister of Education seem to recognize that provincial funding of public education is too low, yet this acknowledgement has not been enough to slow the pace of provincial initiatives imposed on public boards without financial compensation. As a result of the process, I have become convinced the provincial budget receives too little attention from citizens of this province.

Over the recent years of high inflation, high unemployment and currently high deficits, trustees have clawed to save every dollar possible provided that quality of educational programs was not significantly affected. The disillusionment created in the ranks of Ontario trustees at the fiscally irresponsible manner in which the province approaches such a major issue is to be expected. We can only shake our heads when a decision is made, the structural process is established and hard facts as to the financial consequences are unknown.

In closing, the association can but hope the message is by now clear. I believe we all agree that haste makes waste. The implementation of the extended funding proposal has been too fast. Change in education in the past has always been methodical and well contemplated. In the past, we have had a number of white papers and the opportunity to comment before changes because we are dealing with a cornerstone of the social fabric of this province. While it may be untenable to the three political parties, we are not here to satisfy their political aspirations, but rather to provide for the continued welfare of education in Ontario.

Once the Macdonald and Shapiro commission reports are received and the constitutionality of Bill 30 is determined, we urge the government to establish a select committee of the House or a royal commission to review these reports and to determine how the extended funding proposal impacts on areas of concern.

Bill 30 does little to limit the vulnerability of the public school system. Its protections are inadequate. It limits student access to programs, staff access to jobs and parents' choices for their children's education. It does nothing to ensure the future viability of public schools or, for that matter, of all secondary school education in this province.

Bill 30 has been prematurely tabled, and more study of its impact must take place. These proceedings must not be just window dressing. It is your responsibility to guarantee to the students

of this province programs of quality and opportunity in the future.

The taxpayer must also be accounted to. On his behalf, may we insist that our educational goals in this province be met in the least costly manner possible and, therefore, that the submissions we have made be seriously pondered.

Gentlemen, you cannot claim that the commission or the government has received a mandate to spend the considerable sums that are estimated at this time to proceed with implementation before or after the court ruling on its constitutionality, since only now are they being discovered.

You cannot proceed with this initiative and maintain that it is part of responsible government when the consequences of your actions are unknown. You cannot account to the educational community and represent that the implementation proposal is educationally sound.

You cannot account to the taxpayers of Ontario and demonstrate fiscal responsibility. You cannot assert that Bill 30 protects the best interests of public education in Ontario, the interests of students, staff and taxpayers.

You can, however, suggest that the government establish a select committee of the House or a royal commission to review the reports previously referred to, and if Bill 30 is deemed constitutionally acceptable, determine how the funding proposals should be structured to limit its impact on education.

Surely it is obvious that public boards in Ontario should be concerned after our review of the legislation. One need only look at the process followed to arrive at this point as justification for our anxiety.

Mrs. Waese: That concludes our presentation. My copresenters and the resource staff would be pleased to answer any questions.

Mr. Chairman: I am sure there will be a number of them. If I might lead off with one, I am a little confused about what you want concerning the notion of tax switching or the ability of Roman Catholics to choose to send their money to the public system.

On the one hand, I hear your concern about being financially deprived. On the other hand, I gather you are saying that there should be the capacity to switch both ways, which would surely throw you into more jeopardy with public school supporters throwing their money into the Catholic system.

I wonder if I could have some clarification as to what you would have us do with that. I understood your concern but I was not sure what the solution was.

Mr. Marion: With respect to financial recovery, sections of the bill indicate that what is to happen is that the board that offers the service will be compensated according to regulations. The regulations at this time are inadequate to fully recover the cost of offering a program. A Roman Catholic in a public school board or a separate school supporter would find himself receiving a program at less than the real cost to the public school board.

The first thing that has to be addressed is that the legislation must provide for full cost recovery. Once universal access to one system or another is provided, there will not be any problem in terms of tax support because the legislation does provide that. In terms of accommodation as well, the supporter who is a Roman Catholic who is not gaining access to the programs can gain access simply by undertaking to switch his support.

Mr. Chairman: Those are two different matters. I understand the compensation for purchase of service, but I still do not understand your position on the ability of a Catholic parent to decide to switch his money to your system, when it does not go the other way around. Are you suggesting we open it up so people can move their tax dollars either way? If that is what you wish, is that not a greater threat to you?

Mrs. Lafarga: I believe you have to go back to one of our first premises, that there should not be a duplicate system in the province. That is one of our first recommendations. If you are looking at duplicating systems, why should one section of the population have access to two systems and the rest of the population have access to only one system?

In fact, what Bill 30 does is divide the province up into Roman Catholics and others. You have to remember what our first recommendation was. We do not want to see a duplication of systems. We are referring to the inequities in the bill as a result of that.

Mr. Marion: The other financial concern is the fact that once you lose the tax base that is currently available, it will cost the public school supporter a great deal more to run the system locally. Therefore, what has to happen is that the grant ceilings will have to be raised in Ontario to compensate fully for the loss of assessment. That is another recommendation we would make.

Mrs. Waese: At present there are very few boards remaining that have had sufficient grants to provide the quality of education that has been demanded.

Mr. Chairman: I have no difficulty in understanding any of those, but I am not sure what you want to replace that notion of a Catholic being able to opt into your system. I thought it would exacerbate your problems if they did not have the capacity to do that.

Mr. Marion: If it is not done properly, it certainly will.

Mr. Wiseman: Mrs. Lafarga, I wonder if you could explain a little further for me your mention of programs, in the case where the Roman Catholic school board wants to purchase programs from you. Am I right in thinking you would not be looking for reimbursement for the programs you have in place, but rather for new programs you might be bringing forward? They would already be paid for, would they not?

Mrs. Lafarga: No, under the present regulations what we are able to charge students is quite different from the actual costs of delivering those programs. Unfortunately, this was quite dramatically pointed out in a brief presented by the city of York last week. I have referred to many of the high-cost programs, such as special education, French language, technical and vocational subjects, where the per pupil cost is way in excess of what the regulations currently will generate, that we are able to charge.

11:10 a.m.

Mr. Wiseman: Perhaps I do not understand, but you have the program worked out, whatever it may be, and if someone transfers over from the Roman Catholic school board—

Mrs. Lafarga: That is a purchase of service.

Mr. Wiseman:—they would not be required to pay any more than one of your students who is in the program, would they? At some point, you may look at a cost sharing with them. I cannot see you actually making a profit out of another board or it making a profit out of you, but rather recovering your costs.

Mrs. Lafarga: Are you referring to the actual writing of courses of study or the delivery of programs?

Mr. Wiseman: I was not quite clear on what you meant by programs. I believe you said the working up of new programs.

Mrs. Lafarga: Yes, the writing of courses of study.

Mr. Wiseman: My question concerned the existing programs, where you have already done that and probably have them in place. I could see those programs going at whatever the cost is now, but they would be asked to pay the same

rate for any new programs as whatever the costs were, broken down over how many students you had in the course.

Mrs. Lafarga: I am very pleased you have raised that, because it is a fallacy to think courses of study stay in place year after year. We are constantly revising them, both as a result of government initiatives and because, if I can refer to the OSIS document currently, the majority of courses in secondary schools are under revision. We have to write not only the Ontario academic credits, but all the courses, the basic, the general and—

Mr. Wiseman: It is good you are doing that, but I guess the bottom line is that you are not out to make a profit over and above what you would charge any of your own students, are you?

Mrs. Lafarga: No.

Mr. Wiseman: That is how it seemed to me.

Mrs. Lafarga: No, I said in order to program costs.

Mr. Wiseman: As long as you were recovering exactly what you had in it.

Mrs. Lafarga: I am certainly not talking about profits.

Mr. Wiseman: If this goes ahead, one hopes there would be a good working relationship between boards.

Mrs. Waese: You have to distinguish between courses and programs. When we talk about programs, they would be vocational or technical ones. So it is a whole program.

Mr. Wiseman: I was thinking more of special education and the costs of some of those programs.

Mr. Marion: When we refer to a program, we are talking about more than just the course of study. We are talking about the buildings, teachers' costs, our class costs, and everything we have to have to provide a program. That is what the legislation is referring to. The cost of writing a program is not really what we are talking about.

Mrs. Waese: Mr. Wiseman, it is actually in your question and our response that our concern lies. It looks very simple on the surface: X amount of dollars will deliver a course credit for one student. We are saying it is much more convoluted than that. Every program incurs a variety of cost factors and our concern is that you will cost out a program. To give an example, if it costs \$1,000 for the board to deliver a program—in every business you do the same thing. You take overhead and surrounding costs and then

cost out a program. That is what we want to raise to your awareness.

Mr. Wiseman: It goes on to the next point. Who makes the final decision? I can see a board trying to put through a lot of extra costs. Who do you suggest would arbitrate if that were to happen?

Mrs. Lafarga: The term I used was audited costs. We are not trying to gouge separate school supporters. We are emphasizing that different programs have different costs for the public boards.

Mr. Marion: The other thing that might be indicated is, once the legislation reads "full cost recovery," it will not be any different than interpreting any other matter that is left to the discretion of the commission. At least we will be protected, if not according to the regulations as they read, because we know them to be insufficient. We will be able to make a case for full cost recovery at that time.

Mr. Wiseman: I have two more questions.

You mentioned that if someone does not want to move to another board, he should be paid by the government. You gave an example, I believe, of \$40,000 for 10 years. Do you really believe that, when you are trying to protect someone, you should encourage them to be lazy and say: "I am not going to do it. I can make \$40,000 a year if I stay at home"?

Mrs. Lafarga: We certainly do not recommend that. Unfortunately, Bill 30 does recommend that.

Mr. Wiseman: I have not noticed that, but it does not seem right to me.

Mrs. Lafarga: We are saying we do not want public boards and the taxpayers of this province to have that responsibility. If that is to be insisted upon, we want the provincial government to accept its responsibility in this area. We are not proponents of paying people when they do not have work, and we do not believe this does happen when wings of hospitals are closed. There is no precedent for this. It is something the committee has to deal with.

Mr. Wiseman: I misunderstood. You mentioned the board should be able to recoup the cost of equipment, the cost of the schools, and one thing and another. What portion do you feel would be right? Would you open your books and take depreciated value, the part that the province has put in there over the years, and come up with a figure that would be fair?

Mr. Marion: There was a ministry memorandum that provided for how boards were to divest

themselves of capital, buildings, equipment, and so on. I defer to the superintendent of business affairs, who is here, to give an explanation of this.

Mr. Webber: As Mr. Marion has suggested, there is a memorandum at present that the ministry has been using to calculate such amounts. It does take into consideration the points you have raised. It gives a calculation that, in effect, presents a fair market value, as best you can get a fair market value in this situation where the only market is your own educational system. We are suggesting there is no apparent reason to discontinue using that form of calculation. It has been suggested that it not be used and some other method be used.

Mrs. Lafarga: We have to remember too the people who now have their children in other private schools. What claims would they have to the share of their taxes which have contributed to the building of public education facilities?

Mr. Allen: I want to thank the ALSBO representatives for their brief. In my brief tenure as Education critic, I have found ALSBO to be a very reasonable body. I will attribute that to your wisdom rather than to your internal politics.

You remarked that since the three parties agree on this issue, this is all window-dressing. I hope by the time we are through we will at least have convinced you that some things will change in Bill 30. I do not see a great deal of difficulty in moving in the direction suggested by you in a number of instances.

I do not think my party has any problem in looking at the whole question of educational governance. We have long had some problems, but many of our reservations have been in the direction of the large and growing scale of the administration of education. We might not be too happy to move with increasingly large structures and try to find some way around that.

None the less, let me ask you a couple of questions. First of all, I did not quite follow you with respect to your point illustrating the conflict between Bill 30 and Bill 100 in the Windsor area. As I heard it, you said that next year those designated teachers who are left over after the transfer process will be fired and that other less senior redundant teachers will have the protections of the arrangement there. You attributed that to Bill 30. That was not my sense of Bill 30's operation. Perhaps you could explain that better for me.

11:20 a.m.

Mrs. Waese: I will take a first try at it.

What we perceive happening is, as a result of Bill 30, and this is what happened at the Windsor board, five teachers are declared redundant and are laid off, but we keep paying for them, because under Bill 30 we must continue to pay their salaries and benefits. The following year, because of declining enrolment, which is another issue and not a result of Bill 30, five more teachers must be laid off, but those teachers will be fired.

These five may well have more seniority than the five teachers the previous year, but they will be fired while the five teachers who were laid off because of Bill 30 will continue to be paid salary. That is where we see the conflict between Bill 100 and Bill 30 unless there is a local agreement.

Mr. Allen: Yes, a local agreement, and also with reference to Bill 30 in terms of the designation of persons.

Mrs. Waese: Yes.

Mr. Allen: That problem would be solved by moving to the designation of positions, because you would not have designated individuals and, therefore, they could not be laid off.

Mrs. Waese: That is right. Then you would avoid the conflict.

Mr. Allen: I was not quite clear whether you were getting at something else that could not be handled by the designation-of-position approach. I think we can resolve that one, too.

What is your response to the dilemma that the separate boards appear to be in, at least on their terms, with respect to the full purchase-of-service arrangement? I do not in principle have a problem with that. I do not think many of us have. We think you should get your just deserts.

The problem, as they see it from their side, is that you may be offering a program of a degree of richness that they would never be able to afford, even if they wanted to, by virtue of your greater access to commercial and industrial assessment. Therefore, they are paying an extra premium on top of what would normally be cost delivery in their eyes.

They do not seem to be saying, "We just want to stick at the per pupil average grant compensation." They are prepared to be richer than that, but they have a problem going that extra distance. Do you have a resolution of that problem from your side that would be helpful?

Mr. Marion: The question probably points out the fact that we are dealing with this question in isolation, and certainly without having received the report on the financing of education.

We do not really know what is going to happen to commercial-industrial assessment in the province.

The concern they expressed to this committee in the past may or may not be valid. I can only say our position on program offering is clear: Where we offer it, we want full cost recovery, and they should offer a complete program unless it is not viable for them to offer complete programs, and as long as a test of viability, which has been referred to in our brief under "Best Interests of Public Education," would limit the complete range of programs they might offer. Otherwise, they are responsible for offering a complete range of programs.

Mr. Allen: On that latter point—

Mrs. Waese: May I add one other thing? We have raised this and you have heard it before, but I would like to re-emphasize that the other component we have been quite concerned about with respect to the purchase of programs is the fact that the most expensive programs will be the ones that will be purchased, for the reason you mentioned; that is, the lack of resources in the separate school system.

The other part is that we do not end up, because of Bill 82, with the hard-to-serve students. That is a very serious concern. This is why we are requesting that the separate schools be prepared to have a range of programs so that, if they are to be another public system, they have the same perceptions and the same cross-section of students in their system as we have in the public school system.

Mr. Allen: I get a sense from our hearings with them that they are quite happy with the notion of offering a full range of services. They understand it might have to be on a purchase basis, which brings us back to the original question, but obviously we have to work through that one.

On that point, I felt a certain tension, or almost a conflict, in your position at two points. On the one hand, you did make the point very early about becoming the repository of the hard-to-serve. I appreciate that, and I understand your reasoning behind it. On the other hand, you did point to the Ottawa area, for example, with respect to arrangements that have been made for handling the trainable mentally retarded.

In fact, in that situation a co-operative arrangement has been struck whereby the Carleton Roman Catholic board will be the delivery board in that area for the trainable mentally retarded. That would indicate to me that the separate boards are prepared to become very

much involved in the delivery of services to the hard-to-serve.

Your main point—if I can get in between these two—is that you want to see the co-operative structures there that will press the resolution of those services in the right direction.

Mrs. Waese: We have with us Don Francis, who is a trustee on the Ottawa board as well having been the chairman of the legislation and finance committee, which developed the submission. Mr. Francis would be very pleased to respond to your point.

Mr. Allen: If he could speak to the way in which that was accomplished in the Ottawa area, that would help us; it might provide a model for us in other areas.

Mr. Francis: Over the past two or three years, the four boards in the Ottawa-Carleton area—the two public boards and the two Catholic boards—did work out an arrangement to divide the Bill 82 students. I have forgotten exactly which school is with which board; however, we have divided the French elementary with one board, the French secondary with another board and the English group with two boards.

It did take a while to work out the division, but it is useful to note that it was accomplished by an agreement among the four boards.

Mr. Allen: Are the four boards in the area working on other areas of co-operative delivery of specialized educational services?

Mr. Francis: Yes. I guess the other area that is most significant, and the one that has been in place for a much longer time, is the media centre. The media centre is basically a film library, but it includes video productions as well as ordinary films of the past. The four boards have an agreement with respect to that sort of service as well, and have had for a number of years.

Mr. Marion: It might also be indicated that the legislation does not provide for what is taking place in Ottawa; under the legislation, the public school board is not entitled to purchase service from a separate school board. The point was made by many public school boards that this should be the case and that there should be a reciprocal right to purchase service. What is happening in Ottawa is unique but would not be legal if this were passed.

I must point out that we have not been able to do this in Niagara South, nor have we been at the table discussing it there. What is happening is simply that the separate school board is suggesting to candidates that they apply to the public school board to receive the Bill 82 service. Of

course, there may be a problem with the Charter of Rights in terms of freedom of conscience and relation as to how students can be transferred, by obligation, from one place to another by one board or the other.

Mr. Allen: The likelihood of us in this committee moving to include provisions in the bill for umbrella board structures or what have you is pretty slight. However, I wonder whether you would be happy to see—as a first step to facilitate, promote and press boards towards joint action—a requirement that coterminous boards establish joint committees to look at possible areas of joint activity and to report regularly on the progress they are making in specific areas of possible co-operative action.

Mrs. Lafarga: The legislation could address that matter. Unless there is some framework or incentive for those agreements to be reached, I am not sure they will do that. Many boards have been working in that area over the past year, but we brought out in the brief that those negotiations are breaking down, because we do not see any way of resolving the issues, under the provisions of Bill 30. It would be nice to have it there, but I do not think it will help resolve the problems at all.

Mr. Allen: You would attach a carrot to that.

11:30 a.m.

Mrs. Waese: You indicated a concern about the growing administration. I suggest to you what is going to happen, particularly if other boards are given the same opportunities as the separate and public schools, is that there will be a growing administration. Our recommendation for a unified system would deal with that. Even on this issue, it could be used instead of simply joint management which, if anything, adds more staff, because now it is necessary to have people who can co-operate, be sensitive, identify with each other; in other words, certain types of individuals.

What we are saying is that, instead of adding on all these systems—and you may well have other religious groups and other independent schools asking for the same rights—we should look at the concept. Your committee can suggest—and I know the educational community is ready to explore—the concept of an umbrella educational system, which might deal with your concern about a growing administration, new systems, new governance and a variety of forms.

In answer to your question, I would like to refer you to a passage on page 39 of our brief,

under "Co-operation Between Boards on Student Admission." The passage reads:

"If there is to be co-operation between coterminous boards in admitting students to their systems, the government must show its good faith by amending the bill along the lines suggested in the preceding paragraphs"—on page 39—"and in the clause-by-clause comments which follow this section of the ALSBO brief. Additionally, the government should act to:

"(a) provide for full cost recovery in the fees charged to a board for the purchase of instructional programs for its resident pupils who wish to attend the coterminous board.

"While this matter is discussed in the ALSBO comments on sections 136c and 136d respectively, we reiterate that a board offering education programs should not suffer a financial penalty as a consequence of accepting a student from another board. "We restate here our recommendation in this regard to the planning and implementation commission:

"...that legislation be introduced to ensure that both publicly funded school systems are responsible for providing equal opportunity to students to the full range of programs and services required by the provincial government or identified as necessary by the local community...."

I think that focuses on our concern that it would have to be a two-way street.

Mr. Allen: I am sure it has to be.

Mr. Henderson: I offer my thanks and compliments to the presenters of this brief.

I was thinking of your comments relative to duplication of systems and the undesirability of that, which in many ways I agree with.

I suppose, being a physician, I think of analogies with health care from time to time. It occurs to me sometimes to make a comparison with hospitals, where we have general hospitals, Catholic hospitals, Jewish hospitals, and probably a few others, all of which are publicly funded. Presumably, the different hospital systems originated in a different kind of way, and as public funding became more and more the norm for hospital funding, the present pattern evolved gradually.

In one way one could say we have a very fractured, fragmented, duplicate or triplicate hospital care system, and yet somehow it does not feel that way. It feels more like kind of an umbrella system, to use that term, with different components. I am not aware that there is much sense of there being undesirable competition, rivalry, fragmentation or duplication. It feels more like hospitals from different kinds of

historical backgrounds doing a good thing, largely in co-operation with each other.

Obviously, the analogy breaks down with respect to many details. Presumably you would argue that in a generic sense it breaks down too. Maybe you could help me a bit with that. Could you help me understand why much the same thing could not evolve with our school systems as has evolved with the hospital system?

Mrs. Waese: Could I first indicate one point? We are trying to prevent a duplication in the educational system such as you have in the hospital system. I think you would agree with me that the financial aspects of the hospitals are a critical issue. With the duplication and perhaps the administration—I am not that familiar with all the rationale for the financial problems—you have had to face serious concerns in terms of financial cutbacks and closure of hospitals. In fact, the Treasurer recently indicated that he had serious financial concerns he hopes to address on behalf of hospitals. Our concern is not to find ourselves in a similar situation.

Mr. Henderson: Absolutely. I certainly agree with the spirit of that and where you are coming from. But what is interesting about hospitals is that for all the crises, dilemmas and cries of inadequate funding, I have never heard anybody blame it on the fact that we have general, Catholic and Jewish hospitals. Maybe somebody has, but it is not a big part of the discussion.

Mrs. Lafarga: I would like to address that because I think you gave the answer in your own question when you used the word "evolved." That is, the system evolved as the need for health care grew in Ontario.

What we have to recognize is that we have a public system that is capable of meeting the needs in the province but is faced with declines, which is quite different from the health care system, for which the needs are growing.

The difference is that there is no restriction on employment no matter what denomination the hospital is. Catholic hospitals do not employ only Roman Catholic staff, nor do they admit only Roman Catholic patients. There is no need to know what religious affiliation a hospital has; you go there because it provides the care you are looking for.

Health care has moved a step further in the case of designating areas of the province, for instance, for trauma care. That is the way it has evolved. We are not attempting to dismantle part of the system to put that in place, and I do not think there are restrictions on staff and patients.

Mrs. Waese: Universal access is a key point that Mrs. Lafarga is making. One of the major concerns of our association is that universal access is not being recommended; the analogy would be in conflict, because the hospitals do have universal access with public funds.

Mr. Henderson: So your argument, as I understand it, is that the hospital example supports the kinds of changes you suggest for Bill 30?

Mrs. Waese: In terms of universal access. The concern about the finances would be the duplication, which you have tried to avoid. Your hospitals are meeting needs that are being demanded rather than having three hospitals on the same corner.

Mr. Henderson: It is not legislated or regulated in any way that I know of, but there is some tendency for Catholic patients to go to Catholic hospitals and Jewish patients to go to Jewish hospitals and so forth. It would not surprise me if, once upon a time perhaps, Catholic hospitals in their hiring observed what would now be considered discrimination in favour of Catholics.

Mr. Chairman: That was probably when they had private boards and no public funding. With public funding, that has not been the case.

Mr. Marion: It is difficult to make a comparison, but the financial pressures the health care system has been under compare somewhat to those on the educational system. We are concerned; if we can save money somewhere, we would like to save it so we can apply it to providing better health care or better education. That is also part of our brief, that we need to maximize the dollars available in the province.

On whether the patient is in a Catholic or some other hospital, he or she usually follows the doctor's recommendation. People get to hospital as soon as they can if they require some significant treatment. It does not matter which hospital they go to.

Mrs. Waese: And a Catholic hospital would never turn away a non-Catholic patient.

Mr. Chairman: Under the law they could not.
11:40 a.m.

Mr. G. I. Miller: I would like to follow up on that. I do not think religion has anything to do with it when talking about hospitals. I am a Protestant, but my daughter works at St. Joseph's Hospital in Hamilton, and we have used its services.

In the presentation, you indicated we are trying to set up a new system by supporting two systems. Do you think that is the case? We already have two systems in place.

Mrs. Waese: We do not perceive it as being two systems in place. We respect the British North America Act up to the elementary level. We have never accepted the concept that it would be extended. We realize at that time and in that day there were different needs to protect religious concerns. We do not believe in today's society, in the multicultural and multiracial environment we live in, it is relevant any longer to have to continue to meet those needs. Everybody's rights are being protected now.

Frankly, our primary concern is that if we go that way, and if we feel there is a need to protect any one religious persuasion, we will find ourselves in a position of having to commit the same kind of respect and regard for other religious concerns. I suggest you are already being faced with that; those demands are being made on the government now.

Mr. G. I. Miller: I agree, but we are dealing with only one issue at present—the extension of funding for three grades. The system is in place. This is what we are wrestling with.

Do you not feel there should be co-operation? In your presentation, you are somewhat critical of the planning and implementation commission. We met a group of women teachers in Norfolk county last night who seemed to share your concern that the planning and implementation commission has not been working as effectively as it should be. Do you have any comments we might take back to the commission for clarification and to make it work more smoothly?

Mrs. Waese: We have tried to address some of the reasons that commission is not working effectively. Primarily, many of the boards have not accepted that the commission has been constitutionally legislated. We are not prepared to put into jeopardy our concern that the whole of Bill 30 is not legal. Many of the boards are not in a position at this time to continue to work with the planning and implementation commission's recommendation. We feel it will not hold true; some of the boards certainly hold that position.

There has been a variety of concerns. Mr. Marion in his presentation indicated the concern about the prejudicial positions many members of the commission are taking; they are biased positions. There is a lack of confidence in some of the positions held.

Mr. Marion: It might be indicated as well that it is incredible that a commission has to operate

within the parameters it had to operate in the past. There is no legislation or regulations pursuant to which the commission was given a mandate. How are the boards to receive such a commission? How are they going to work within the parameters established?

It is not surprising that there may be complaints as to how the commission has operated. Unfortunately, the political process has left a lot to be desired as to how the matter is to be handled. As a result, the commission is definitely subject to criticism.

Mrs. Lafarga: I believe we have more than two systems; we have a multiplicity of systems. I refer to the private schools which also offer services at the secondary level. The member boards of the ALSBO support the rights of those boards to offer those services, and we support the right of parents to direct their students to those systems if that is what they want. What we do object to is the payment of public moneys to duplicate systems. That is what we are referring to in this matter.

Mr. Francis: On the financing, Mr. Miller has mentioned that it is just a case of adding the three grades. With respect, I do not think it is quite that simple. The funding for grades 9 and 10 is not the same as the funding in the public board system. The funding that students in grades 9 and 10 receive is based on an elementary grant plus a fraction of that grant.

The elementary grant for grades 9 and 10 plus the fraction has not been sufficient for the separate school boards to offer as full a range of services at the grade 9 and 10 level as is offered in the public program. That is why it is not as simple as adding the three grades.

Mr. G. I. Miller: The argument has been put to us many times that the separate school people have been paying for their own education and have been subsidizing the public system. Can you argue against that?

Mr. Marion: At the grade 9 and 10 level they are not funded to offer vocational programs, so that is a further extension of what we are speaking about. I will give you an example of the duplication of bureaucracy. In Niagara South, we have a French-language system of two elementary schools in the separate school system and four in the public school system, plus a secondary school. We have a superintendent of French-language services. When we approached the separate school board and suggested we share that service, that salary, we were refused and so the superintendency is duplicated. That is a fairly large cost to the taxpayers of the province. That is

a good example of duplication. That will be perpetuated unless some co-operation is encouraged in the legislation.

Mr. Reycraft: Perhaps this is in the written brief, although I have not been able to find it. In the oral presentation, the recommendation was made that legislation should be amended to permit public boards to offer credit courses in religious education. I am interested in hearing some expansion on that, particularly how boards would cope with—

Mrs. Lafarga: I am having trouble hearing you, Mr. Reycraft.

Mr. Reycraft: I am sorry. I am interested in hearing some expansion on the recommendation, particularly as to how boards would cope with what would almost certainly result in the wave of requests for consideration from many religious groups.

Mrs. Lafarga: I referred to that. It is on pages 38 and 39 of the brief. The Carleton Board of Education approved a resolution and requested the Minister of Education to permit the public boards to offer credit courses in religious education. I am not sure what I can say other than that. I do not see that as a problem. If public boards could do that, it would recognize the multiplicity of religions that currently exist in Ontario.

Mr. Reycraft: I am sorry. Did you say they could recognize the multiplicity?

Mrs. Lafarga: If it were permitted by the Minister of Education. Currently it is not permissible.

Mr. Chairman: I presume these are seen as general religion courses on the multiplicity of religions and not as one particular religion's point of view.

Mr. Marion: In Carleton it also was recognized there was a francophone Roman Catholic population in the public school system. That is why the permission was being sought.

Mr. Henderson: I have a comment and a question to do with evolving. One of the concerns Catholics sometimes raise is that the Catholic education system will become less Catholic by virtue of being publicly funded. That is analogous to the chairman's comment about what happened to Catholic hospitals when public funding came along.

I believe you suggested that ultimately one solution or goal would be an umbrella or some kind of unification. One way to foster that would be to equalize the two boards. One could imagine that by doing that there would be an evolution

and various steps along the way, including collaboration, co-operation and elimination of duplication of the sort just exemplified in Niagara, particularly if some of your points about equality of access and hiring could find some favour. It is easy to imagine that extending the funding is a step toward the evolution of a more unified board. Do you have any comments or reactions on that?

11:50 a.m.

Mrs. Waese: My immediate reaction—I listened to you talk about equal access and opportunity—is about the rationale the Roman Catholic school system has developed to ask for its extension of funding. They want to preserve their religious content and catholicity. They do not accept universal access for the very fact it would erode the environment and atmosphere they say permeates every single subject.

In fact, it brings into question how they have been meeting the needs of young Catholic students if they purchase programs in the public system. To me, that is a conflict as well.

The base for me to try and understand, with regard to the issue you just raised, is if we are to allow and subsidize two systems and universal access, then why have two?

Mr. Henderson: Yes, I think that is so. I guess there is a middle ground to be looked for in this. Catholic hospitals still retain their catholicity somehow, and Jewish hospitals retain their Jewishness, despite public funding, equal access and fair employment practices. It seems to me that somehow there is a preservation of some aspect of the distinctive character.

Mr. Marion: I would like to add to that. It seems to me that if it is the intention of the legislation to promote close co-operation or your unified board concept, then let us be up front. Let us phrase the legislation so we are promoting that.

Many of our comments indicate legislation is not that clear. If anything, it runs counter to exactly that principle. Let us be up front and let the Catholic school system choose whether it believes it will lose its Catholic nature or character under that structure. That is what many of our comments have addressed; the fact that maybe the legislation should be rephrased, to permit or encourage that.

Mr. Henderson: I suppose even gradual—

Mr. Chairman: I am enjoying this conversation a great deal, but I am going to move on to Mr. Shymko.

Mr. Shymko: This is almost a supplementary. I wanted to ask Mrs. Lafarga: In your presentation you referred to the obvious relationship of the Shapiro commission on funding to the private, independent and alternate schools, and what is happening today with Bill 30. In trying to resolve completion of funding to Catholic schools, obviously there is a linkage with that problem.

I looked at your submission to the Shapiro commission and I find that what we are all agreed on—I think we all are agreed—is your conclusion that what we are seeking is to provide to the young people of Ontario the best possible education to meet a diversity of their needs, through a diversity of legitimate educational means.

The legitimate means you suggested to accommodate this problem is the uniform, consolidated board. Why should your proposition of that type of board be the only legitimate means, when you say there may be a diversity of legitimate means?

Mrs. Lafarga: I think Dr. Shapiro's report will be very interesting when it appears. I have had the privilege of hearing him make some preliminary comments at an annual meeting this year of the Association of Large School Boards in Ontario. I think one of the points he will make will be that there need to be criteria established for what education in Ontario should offer.

Once we have established that, I do not feel there will be any conflict in it being available in a public education system by a diversity of programs; for instance, in the Waterloo area, to the Mennonite community. I could give you dozens of examples in which that can be accommodated within the public education system.

This seems to me to reflect what I think this government, this Parliament, has done a splendid job of promoting, and that is a multicultural province, in which all people are equal. I am really proud, and I am prepared to say that here today, to have been in this province for the last 20 years and to have seen the developments that have taken place in this particular area.

I am very upset to see this is being fractured at present, and that various groups are fractionalizing to present their cases for special attention. I do not believe we have had that, and we stand to lose something that is unique and precious in Ontario.

Mr. Chairman: Do you have a final question, Mr. Shymko?

Mr. Shymko: I could go on with a lot of questions on this today, but could you allow me two?

Mr. Chairman: Try this one.

Mr. Shymko: One would complete my questioning along this line, although I would probably have four or five questions. You are quoting the "Privatization" of Education article and an American survey. In it, the danger that I see you point out is that special interest groups would promote sectarian interests within publicly supported private schools, which would severely weaken the social and political cohesion.

I have difficulty understanding what that means. It may be interpreted in various ways. Would you not agree that publicly supported Catholic elementary schools, in fact, were special interest groups, providing sectarian interest, with public funds? According to your logic, would they have not weakened what you term social and political cohesion?

Mr. Marion: Can I address that?

Mr. Shymko: I wish you would. If others would, why would you not say the Catholics have done that, over the past 100 years?

Mr. Marion: I think you are talking about a constitutional issue, which will have to be determined by the Court of Appeal and that certainly is one of our points. It should have been done a long time ago. When you talk about the diverse, legitimate educational needs, the public school boards have been trying to provide for those educational needs which are legitimate and which are diverse as it is. We stress the word educational, and I think, in fact, we may wish to provide for other needs.

We may have all kinds of religious groups in Ontario that think they have diverse needs and they possibly do. The question is exactly how far does that scope of diverse and legitimate go, unless it refers to what is educational? Our point is that it is educational. If Bill 82 was not exactly a stab at doing that, trying to provide for all those diverse needs, and all other legislation covering those types of education, vocational etc., we have done that.

If someone has a particular interest that is not in that vein, then public school boards are not necessarily responsible to provide for that and should not.

Mr. Shymko: I appreciate you have stated that the uniform, consolidated board is not the only legitimate means of doing it. There may be some other options. As we have seen in other provincial jurisdictions outside of the two provinces—

Mr. Marion: Then you have to decide the issue as to whether the public funds those other interests. That is the province's decision.

Mr. Shymko: It is being done from a 17 per cent share to a maximum of 77 per cent in Quebec, to these particular schools. There are other options.

My last question is the reference to a system that I am sure has been mentioned before in this committee, and that is the American system of vouchers. You quoted someone giving a critique of that system. My understanding is there are very few American states that provide the voucher system.

It is certainly not the majority. It is an exception to the rule in the United States, but it has been seen as a legitimate way of guaranteeing this problem we just discussed in my earlier questions. Which states provide it? Do you have any information about that? I am sure there are positive assessments of it as well as negative. This committee may be sitting with another bill and the voucher system will be applied. I just wondered if that is the only study. Are there no positive assessments?

Mrs. Waese: Obviously the individuals who are using the voucher approach would have positive comments, or they would not be using it. However, I have responded in terms of a research study that unfortunately does not indicate the individual states they are concerned about.

Mr. Shymko: I see.

Mrs. Waese: They did not identify the states, so I am not in a position to identify them for you. The issue of the ability and the effectiveness of the voucher system has been raging, if I can use that word, in the United States for many years now. It is quite a controversial issue. This particular research, which is quite recent—1983, I believe it was—is the one that indicates it is in fact dismantling and affecting in a negative way the system and the quality of education that is being delivered in the United States.

12 noon

Mr. Chairman: What I will do, Mr. Shymko, is make contact with the Shapiro Commission. They have the word on which states are participating, and there may be a bibliography of studies done, and I will have that forwarded to the committee.

Mr. Shymko: That may help. We keep hearing references to it, but I am not aware of the states. I know it is not uniform. They vary. Where the voucher system has been implemented, it varies from one state to another. Before we

prejudge the value of that, maybe it would be appropriate to see some of these jurisdictions.

Ms. Flaherty: Mr. Shymko, I would be prepared to give you one study that has just come out in one of the American states in response to A Nation at Risk. The study is an attempt by the state's education department—I do not remember which state it is—to look at educational reforms and the problems Americans see in their public system and to try to respond. A number of states now are banding together, under governor's commissions in most cases, and are trying to grapple with such questions as undirected, tax-supported, and tax dollars following children and the effect on the public system. I would be happy to send you a copy of that report.

Mr. Chairman: If you send it to the committee, that would be very helpful.

Mr. Shymko: Make sure all members get it.

Mr. Chairman: I will make sure it gets disseminated to all committee members. This has been an enjoyable two hours. We appreciate it very much. We should move on to our next delegation. They have been waiting patiently.

Let us make the transition as quietly as possible. I welcome the group, especially your patience. I know we are running a little late, but we try as much as possible to entertain questions from all members who are interested at the time. That is why we sometimes run a little behind time. Perhaps you would introduce yourselves and move to the brief.

PARENTS IN SUPPORT OF EXTENDED FUNDING

Mr. Maine: My name is Frank Maine and on my right, I have Mrs. M. Synnott and on my left, Mrs. A. Kubica.

At the outset, we wish to thank the committee for the opportunity to present this brief. As you are close to completion of these hearings, we are confident you have a comprehensive perspective on the issues of completion of funding for Catholic secondary schools in this province.

As representatives of Catholic taxpayers in the county of Wellington, we unequivocally agree that the time has come to implement full funding for our senior secondary grades. Therefore, we welcomed the announcement of Premier Davis on June 12, 1984.

The county of Wellington consists of approximately 140,000 people. The primary urban area, situated in the southern portion of the county, is the city of Guelph with a population of close to 80,000. The city of Guelph has a strong cultural following in the arts and music. Educational

institutions include the world renowned University of Guelph, Conestoga College and two elected boards of education, both of which are responsible for the education of primary elementary and secondary students.

There is a rich tradition of Catholic secondary education in the city of Guelph. Since 1856, the Sisters of Loretto have been responsible for the operation of Bishop Macdonell High School. That institution's 129th graduating class commenced this past week.

In addition to this long-standing institution, the Wellington County Roman Catholic Separate School Board initiated two junior high schools in September 1974. Since 1975, these institutions have accommodated Catholic secondary students from grades 7 to 10 in all areas of secondary curriculum, including technological studies. As of September 1985, there are three Catholic separate secondary schools in Guelph, Bishop Macdonell High School, Our Lady of Lourdes High School and St. James High School.

Since the June 12 announcement, administrators at the three Catholic secondary schools have integrated student timetables, busing schedules and faculty placement to allow for a fully comprehensive Catholic secondary school program for 1985. Each student is identified with one school. However, in the event he or she wishes to pursue an option not available at his or her own school site, he or she may be bused to one of the other institutions for a particular subject, thereupon to return to the base school after that 72-minute class. As parents, we believe scenarios such as this, which have been put into practice, illustrate the sense of initiative and creative planning that allows a more comprehensive Catholic secondary education for our children.

Many of our children have been forced to leave their preferred Catholic secondary school to participate in courses heretofore not available, especially in the senior grades. In making this transition, we have been pleased with the co-operation of the public board of education. Nevertheless, we believe the artificial truncation of the kindergarten-to-grade-13 continuum for our children after grade 10 was unnecessary and unjust. We are pleased this injustice will cease with the passing of Bill 30.

Each of us is representing one of the three Catholic secondary schools in the city of Guelph. We will occasionally refer to these schools, but our message is one of unanimous support for the funding of separate schools to the completion of secondary school education.

I would now like to have each of us say a few words about our three schools and the issues. First, Margaret Synnott represents Bishop Macdonell High School.

Mrs. Synnott: My name is Margaret Synnott and I am a lifelong resident of Guelph. I am the mother of six children, four girls and two boys. All my children have attended separate schools and my youngest son, Derek, is presently in grade 9 at Bishop Macdonell High School.

Equal funding means many things to many people. To me, as a parent, it means the end of many years of hard work on the Bishop Macdonell lottery and the heritage fund. These two major fund-raising events were necessitated because of lack of funds to operate our Catholic secondary school.

Bishop Macdonell is in its 130th year of serving Guelph and surrounding areas. The original building could accommodate a maximum of 600 pupils. In the 1974-75 school year, there were 533 students. That figure has steadily increased and in 1983-84 we had reached a total enrolment of 789. In 1984-85, that number increased again to 837.

This meant increased costs for parents, as facilities to accommodate this huge increase had to be found. In the 1984-85 school year, Catholic and non-Catholic students had to be turned away because of lack of space. As you can see, enrolment in this Catholic secondary school has increased significantly, as it has across the province.

Bishop Macdonell has worked in close harmony with a neighbouring public high school for many years. In 1980, students from Bishop Macdonell were enrolled in the co-op program at this public high school in a spirit of co-operation and sharing.

The curriculum at Bishop Macdonell prepares students for a Christian lifestyle. Morality, ethics, Christian values and responsibilities are all a central part of the program. The school believes it is essential that it contribute to the preservation of our Catholic heritage and traditions in our young people, at a challenging and critical time in their lives.

Fundamental to Catholic education is the co-partnership of the church and the school with the family. The basic reason for this partnership and for Catholic schools is that Christ belongs in a real and relevant way in the education of our children. Religion is not just a half hour of instruction a day, but permeates the entire curriculum in the school.

Our faith is very important to us and our secondary schools are rich in the tradition of Catholic theology, which places Christ at the centre of all human activity. Students in Catholic schools are taught to acknowledge and sustain respect for themselves and all others in the school and society at large.

In my youth, I spent many of my summer vacations in Quebec, in the city of Montreal, with my grandparents. My cousins attended both public and separate schools. The separate school system in Quebec represents the public schools and they have been fully funded for well over a century without divisiveness. Provision of extra funding to grades 9 and 10 in the mid-1970s in the separate school system in Ontario has not impacted negatively on the public high schools. It should not with full funding.

12:10 p.m.

Many people are not aware of the issues involved in equal funding and are answering on an emotional basis by saying that divisiveness will occur. I believe we can work together in a spirit of democracy in the education of our children.

In closing, I would like to quote from an editorial that appeared in our local newspaper, the Guelph Daily Mercury, as we were preparing to launch our second heritage campaign. "Bishop MacDonnell means much to its students, alumni and parents and to the city of Guelph, which has basked in the reflected triumphs of many of its students and faculty."

I thank you for the opportunity to express my opinions as a parent to this committee.

Dr. Maine: As the father of four children, three of whom transferred to the public school system in grade 11 and the fourth of whom is enjoying the extended grade 11 separate school system this year at St. James High School, I see the extended funding as the opportunity for Catholic students to continue their education to the end of high school, through those most difficult adolescent years, in a caring environment where the moral dimension, which is so important, is strongly tested and where financial resources will now not be a limiting constraint.

The question of continuity is one I would like to pursue. It is very disappointing to the teenager who has transferred to the public school system in grade 11 to find he or she cannot try out for the band or for the tennis team because he or she was not in the public school in the spring when tryouts were held. Yet, for at least a decade, public schools have been coming to the separate schools

each spring and inviting students to transfer to the school in grade 11.

I will never forget the looks on the faces of my twin boys, Shaun and Shane, who, when they arrived at their new public high school in grade 11, were told the tryouts for the school band had been in the spring before they arrived at the school and they would have to wait until next spring for the next tryouts. Both boys had been in all five school bands in the separate school system the previous year.

Tennis was a similar story. Surely, since this public school had been receiving grade 10 graduates from the same separate school for many years, some consideration could have been given to continuity in their extracurricular programs. Bill 30 solves this problem in another way. The student no longer has to leave his or her grade 9 and 10 high school.

I feel the separate school system has demonstrated the ideal composition. Along with a sound academic program, the student has the opportunity to develop spiritually. In both religion and health classes, students examine moral issues in context with contemporary society. They learn how to cope with modern problems within the moral constraints of our Catholic faith. In a time when a lot of society is drifting away from religion, I feel it is essential that our children get guidance more frequently than just on Sundays. This they receive with the separate school education.

Perhaps what is most noticeable to me with the separate school system is the caring aspect. Not only do the students acquire knowledge about themselves, other people and the interrelationships between the two, but the teachers demonstrate these principles by their everyday work. With many teachers willing to walk that extra mile, we are bringing up a generation of children who might also be willing to walk that extra mile. It is contagious.

With the current strike in Wellington county of the public secondary schools, the public school teachers are showing the students they do not care about the students' welfare or future. This is not the message I receive from the separate secondary school teachers and I would be far happier if my two sons in grade 12 in the public system, who are currently studying at home, were at school instead, in the separate school system.

Mrs. Kubica: My name is Anne Kubica. My husband and I have five children, three sons who have completed their kindergarten-to-grade-13 education in the separate school system, and two

daughters, one in grade 9 at Lourdes High School and one in grade 3 at St. Bernadette School. Steve is in his final year of mechanical engineering at the University of Waterloo and is at the top of his class. Bob is majoring in classical guitar at the University of Western Ontario and Dave has just started his course in physical education at McMaster University.

We are obviously very proud of our children and of their successes and accomplishments. We are also very proud of our separate schools, where their diverse talents have been recognized, encouraged and developed. Both my husband and I are graduates of the separate school system and we want a Catholic education for all our children; that is, a good academic education with Christ at the centre, an education brought about by the threefold co-operation of church, school and home.

We are especially grateful to Lourdes High School for providing the necessary environment during those very sensitive and critical years of adolescence. It is an environment which supports and reinforces the teachings of church and home, both in the classroom and during extracurricular activities. Appropriate standards of morality in dress, speech and conduct are upheld. We owe a great deal of thanks to the dedicated and unselfish teachers at Lourdes High School. By their example they have helped to instil in our children a genuine sense of caring and respect for others.

We have heard charges of elitism directed towards the separate schools. We want what we feel is the best education for our children. If a student loves his school, he will do well. Our children have always had lots of school spirit and a strong sense of loyalty to their school. It can be disconcerting to an opposing team to see the enthusiasm when half or more of a student body turns out to cheer for their team. Perhaps this is what some misinterpret as elitism.

Nor is a Catholic high school for the wealthy few. Granted, with tuition rising each year it has been expensive, but most parents, and students too, have had to make many sacrifices.

We have paid four ways for our children's education: first, through our taxes, which support our schools from kindergarten to grade 10; second, through the financial support of our parish church, which contributes a portion of the funding for grades 11, 12 and 13; third, through our support of the Bishop Macdonell lottery and heritage fund; and, fourth, through tuition for the three senior grades, which alone over the past seven years has cost us over \$5,000 for our three boys.

Meanwhile, that portion of our tax dollars that supports the senior grades has gone to the public high schools. We feel the sacrifices were well worth it, but is it fair? Our students have been receiving government support from kindergarten to grade 10 and then again for college or university, including Catholic institutions such as St. Michael's in Toronto and King's College at Western. At that level, extra help is also available, for example, through the Ontario student assistance program, but our government has seemed to say, "In between, for grades 11, 12 and 13, you are on your own."

That is why we were delighted to hear the government's decision to extend full funding so the Catholic school program may be complete through high school. We thank our three parties for their courage and fairness in supporting justice in the treatment of separate schools.

I know there are problems to be worked out. I also know many of the objections to full funding are based on fear and suspicion. We must not let fear immobilize us. If it did, I would not be here today. There is a commitment on the part of all that no action proposed in the provisions for the completion of the separate school system shall jeopardize the public school system.

I am confident that the implementation of Bill 30 can come about peacefully and smoothly through the co-operation of the school boards.

Thank you for allowing me to express my thoughts on this vital matter.

Dr. Maine: In conclusion, we would like to thank you for the opportunity to present our views on this most important issue. As parents, we are vitally interested in the foundation that our education system provides for our children as they prepare to become responsible citizens of our community.

As you can see from our comments, we feel that the Christian dimension is important, especially in the critical transition adolescent years, and therefore, we are very pleased that the injustice we feel has been in existence with the lack of funding is being addressed and our taxes will more directly reflect our interests.

Our record of co-operation in the past in Wellington county has been excellent and we are confident that any problems of implementing these new regulations will be resolved in the same spirit of harmonious co-operation.

12:20 p.m.

Mr. Chairman: Thank you, Dr. Maine, Mrs. Synnott and Mrs. Kubica. If you were frightened, I certainly had no notion of that at all in your presentation. It was very smooth.

I have one question. You are all ratepayers in Wellington county. You say you represent ratepayers as well. Do you have an organization, or are you just saying that in a symbolic way? I was not clear about whether you were an ongoing group that met to discuss this brief or how that worked.

Dr. Maine: No, we do not have any formal organization. We are just a group of parents who got together without necessarily having a whole group behind us.

Mr. Chairman: So you are representative in that fashion without representing?

Dr. Maine: That is correct.

Mr. Chairman: Okay. I was not clear on that.

I cannot help but have one facetious question for you, just to prove I am healthy and back in form. I note your comments about the strike in Wellington county at this point and—correct me if I am wrong—it is as if there has never been a strike in the Catholic school system up to this point. I wonder if there are not many different ways of walking an extra mile; sometimes it is on a picket line as well.

Dr. Maine: The point is not so much the strike, but the caring attitude. At 3 a.m. today, the separate school teachers settled their dispute, which had been under negotiation for a year and a half. There are three parties involved in here: the teachers, the board and the students. All too frequently the student dimension is not considered. We as parents are very concerned with that student dimension, perhaps more than we are with the other two dimensions.

The attitude exhibited by the teachers in the separate school system is a more caring attitude from what we have seen. They would use a strike as a last resort. The one time they did it, they regretted it. I think it will be a long time before we see another one, in our county anyway. The public school may be regretting the strike now, but it is kind of late in the game for that.

Mr. Chairman: Nobody enjoys a strike from either side, I might say.

Mr. Henderson: My thanks and congratulations to the presenters. I particularly enjoyed the personal dimension you introduced into your presentation. I am going to take the liberty, with the chairman's permission, of doing the same.

A little more than two years, we moved back to Toronto and began looking at real estate in a place a little to the west of Metro. At that time, our situation was that my wife was Catholic, I was a member of the United Church and of our three children, two were baptized in one faith and

one in the other. I forget which way it went actually, but we were quite an ecumenical family at that time.

The house we were interested in happened to be a block away from the Roman Catholic separate school. It seemed to make a lot of sense that this would be the place our kids would go. I went to see them to make sure there would not be any problems. There was a problem. At first they said no, we could not send our kids there unless they were baptized Catholic. They even had some reservations about one of the parents not being Catholic. Under pressure, they finally said I could speak to the priest and perhaps we could get some sort of dispensation or something.

I found the whole experience off-putting. I guess I am speaking to the question of elitism that some of you mentioned. It turns out we moved elsewhere. Perhaps in one sense that is just as well because if we had not, Mr. Offer and I could not both be sitting on this committee right now.

Mr. Chairman: The people of Humber, I am sure, are glad.

Mr. Henderson: I am raising this question because I cannot understand why it creates a difficulty—even leaving aside our situation, which was kind of mixed—provided the student and the family are prepared to embrace the values of the Catholic education system, which presumably they are doing if they want to go there and if they are prepared to accept the *modus operandi*.

I cannot see why that should create a problem, subject to the numbers, space and so on. The Roman Catholic education system should be available, potentially, to whoever wants to attend. I am not quite sure I can even see a problem with staffing, provided the numbers are kept in some kind of balance and provided the preponderance of staffing is Catholic. Otherwise, I can see how you could say the school would lose its Catholic nature. But I cannot see a problem with the pupils. I am wondering if you could speak to that point.

Mrs. Synnott: In Wellington county, this has not been a problem. As you said, according to space, staff and so on, we have tried to do our best to accommodate these students who wish to come our schools. They are in our schools at present.

Mr. Henderson: Would it be a problem to put it into the legislation? That is the question.

Dr. Maine: I am surprised you have had that problem. I am sure it was not in Wellington county that you had that problem. We have several examples of situations like that, where

students have been accommodated by our system. It is a situation that is already in place, and I see no reason why it should not be enshrined in the legislation. I am very comfortable with that. Anne, do you have anything to add?

Ms. Kubica: No, I agree with you. We also have non-Catholic teachers on staff, and it has worked out very well.

Mr. Chairman: We have had very different responses from different parts of the province to that kind of question. It is always interesting to hear the responses of parents from various parts.

Mr. Allen: We heard from representatives of your board when we were in London. We were quite impressed with the way in which the separate system administers, and has developed, education in the history of Wellington County. I have a friend who has been a music supervisor for 18 years in your board, and he is not Catholic. He says they have been the best 18 years he has spent in his life. There must be something that commends you to people.

The question I had, when I saw you were parents coming to speak on the extension of funding, was one that I felt I ought to address to you. It is along the lines of Mr. Henderson's question. It has to do with non-Catholic spouses of Catholic ratepayers who have children in the separate school system and the problem they have in finding their proper place in the electoral process of engaging themselves with the board of education. Apparently, they are not permitted to vote if they are not Catholic themselves, and they cannot declare themselves as Catholic supporters.

If the husband—or in the opposite case, the wife—is the owner of the property and therefore is the person the assessment is attached to, and is a Catholic supporter, do you feel there is any problem, from the point of view of Catholic parents and the governing of Catholic education, if those non-Catholic spouses were accorded voting rights by virtue of having children in the separate school system and wanting to be part of the whole process of delivering their education?

Dr. Maine: I have no problem with that. In the principles of fairness and equity and justice, that seems to be very reasonable. Personally, I would support that.

Mrs. Kubica: If they are supportive enough, and interested enough in the separate school system to send their children there, they are entitled to have a say in what goes on.

Mr. Allen: We have had a problem raised by some trustees on the Catholic boards. They felt

that if one opened up the whole tax-splitting affair broadly to the public, it would mean a large non-Catholic electorate might want to get on to Catholic boards of education—and would have a right to do so, since the people are proper ratepayers—and that in turn would dilute the catholicity of the governance of the school system.

I can appreciate that point of view. However, it does seem to me, with respect to the non-Catholic spouses of Catholic ratepayers whose children are in the system, that there is a special injustice if they cannot vote and affect the whole educational policy which affects their children. I am glad to see you are open on that point, because it is something we will need to look at.

Mr. Shymko: I have three questions. The first one is to Dr. Maine and has to do with the co-op program you have been sharing with the public high school. Can you describe what kind of a program it is and say whether you perceive it as continuing?

Dr. Maine: I will defer to Margaret. Although I have been involved in it somewhat, she has been more involved in it.

Mrs. Synnott: This program started in 1980, with five students. The teachers at Bishop MacDonnell select the students in conjunction with the teachers at Guelph Collegiate. The students are monitored, and given the credit, by the teachers in the public school system. It has worked out extremely well. Forty students are enrolled in the 1985 program.

Mr. Shymko: Is this a vocational or technical program?

Mrs. Synnott: Yes. Employers in the community at large offer students on-the-job training and experience, and their performance is evaluated. A supervisor is in charge of the student, and the teacher monitors and grants the credit.

Mr. Shymko: So you do not want this program to be jeopardized; you would like the purchase-of-service agreement between the two boards to continue?

Dr. Maine: Certainly.

Mrs. Synnott: Very definitely.

Mr. Shymko: The second question I have concerns ways of walking the extra mile.

There will obviously be a great deal of pressure now for parity of salaries, conditions and benefits from separate school board employees. Would you, as parents, be supportive of parity and equality in that dimension of budget expenses?

Dr. Maine: As a parent, I would ask our teachers to be aware of all the problems the government faces right now, especially the budgetary constraints. I would say that whereas we should move towards justice and equity in the system as we are evolving, perhaps we cannot accomplish all that in one year; we may need a transition period.

I do not see an immediate resolution of such a problem. I see the necessity of the problem being addressed with a sense of fairness to all concerned; that includes the taxpayers and the government, who have to cope with how we fund these types of situations.

Mr. Shymko: There are areas where there are major discrepancies; for example, \$10,000 versus \$20,000 in the area of sick-leave benefits covered by the Teachers' Superannuation Act. Where there are obviously large disparities, would you as parents be supportive of trying to equate those differences?

Dr. Maine: The Catholic teachers, who have suffered this disparity over time, would understand that it could not necessarily be addressed overnight. They have lived with it this long; to live with it a little longer would not be an intolerable burden. They would like to see parity, but they would be willing to work that out in conjunction with the phasing in of this system in a financially appropriate way.

Mr. Shymko: My last question is also with regard to the extra mile. Obviously, many teachers in the Catholic education system were members of religious orders who made a sacrifice in terms of salaries and extra time. I imagine the Sisters of St. Joseph's will continue to teach in those schools. Would the support moneys from parish donations and various lotteries continue?

Mr. Chairman: Mrs. Synnott said she did not want to do it any more, but—

Interjection.

Mr. Chairman: I think Dr. Maine was hoping to keep her efforts in financial work.

Mrs. Synnott: Hopefully not.

Interjection.

Mrs. Synnott: I really did, because I did not know how much longer I could continue; I had reached the end. I hope it does not have to continue.

Mr. Shymko: There is nothing to prevent parents, in a spirit of local pride, from donating additional funds?

Mrs. Synnott: Certainly not.

Mr. Shymko: I wonder whether these extras will create a disparity between publicly supported boards and separate boards.

Mr. Chairman: Except the right to do that is within the public system as well, and yesterday I got hit up for a walkathon.

Mr. Shymko: And whether or not the

religious orders have been subsidizing education, it will now be subsidized.

Mr. Chairman: Are there other questions for members? If not, Dr. Maine, Mrs. Synnott and and Mrs. Kubica, thank you very much for coming. We appreciate your taking the time to present your views today.

The committee recessed at 12:35 p.m.

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No. S-45

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act



First Session, 33rd Parliament
Thursday, September 19, 1985
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 19, 1985

The committee resumed at 2:09 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I see a quorum. I was just explaining off the record to our next deputation that the Conservatives have a caucus meeting later today and, as a result, there will be some inflow and outflow of members as they participate in two places at once, something politicians often try to do.

Our presenters this afternoon are from the Ottawa Board of Education and will deal specifically with continuing education. Perhaps you would identify yourselves for Hansard, then take us through your presentation.

OTTAWA BOARD OF EDUCATION

Mrs. Dobell: We are an individual group, although we are all connected with the Ottawa board. I have been a public school trustee in the Ottawa area for 18 years, which is quite a long time. For five of those years I have been chairman of the Ottawa Board of Education. Accompanying me is Mrs. Dawn Wright, a student at our adult day school in Ottawa, and Dr. Rachlis, superintendent of continuing education at our board.

I have been watching you this morning, and I am feeling a bit sorry that you have been through three months of this, so I thought I might try liven up the after-lunch session by going through what they call an executive summary of the things we are going to say.

In four sentences, what we have to say is: (1) with a few exceptions, adult and continuing education at the school board level in Ontario is a scandal; (2) Bill 30 will make a bad situation worse, if it is not amended; (3) we believe we have some suggestions to help to solve the problems, and (4) because 20 per cent of Canadians are functionally illiterate—that definition means less than grade 9—this problem that we bring before you deserves your serious attention.

Moving from the executive summary, we are here to talk about the devastating effect that Bill

30, if unamended, will or could have on adult education—the continuing education academic programs, not the belly dancing—and how these ills can be minimized. Our remarks also have some relevance to specialty programs for the normal school population, such as a high school of the arts or a technical or commercial high school, programs that have a small finite population base.

We propose that Bill 30 should include requirements—not possibilities—for consultation, co-ordination and possibly co-management between coterminous and, maybe in some cases, adjacent boards in the field of continuing education.

We also propose that the Education Act be amended to define the educational rights of adults with respect to secondary education.

Mrs. Wright, the student who is with us, has to drive 120 kilometres a day to get the academic program she needs at our day school. She is not in our jurisdiction. If Bill 30 is not amended and if the educational rights of adults are not clearly defined, no board outside the density area of Metropolitan Toronto will have sufficient population to offer an adult day school program.

Even though the Ottawa metropolitan area has the highest overall participation rate in adult education in the whole of eastern Canada, not just Ontario, we would not have enough enrolment to offer an appropriate adult day school credit program if the rights of adults to attend were restricted on religious lines. We would not be able to offer a full range of courses, proper educational student services and facilities or an atmosphere in which an adult student can feel welcome. We could send them down to the kindergarten, but they would not like it.

I am sure you will suggest to me—I have read Hansard and you as a group often make the suggestion—that enlightened school boards will co-operate and voluntarily provide programs for adults. The reason I am here today is that this is unlikely to happen.

Since the government has never clarified the exact status of the adult student in the secondary schools and since the ministry has done little or nothing to encourage the establishment or the continuation of adult education programs during the last 10 years, it is doubtful that even

enlightened school boards will have sufficient incentive to take up their responsibilities for adult education if the enrolment base is fragmented—if the market goes.

In speaking about the legal rights thing, in 1985 we have the absurd and scandalous situation whereby the educational rights of adults in Ontario rest tenuously on a section—and I cite it here; I have it in the appendix—of the Education Act which is colloquially known as the footballers' amendment. That is the only thing that underpins adult education in Ontario.

The footballers' amendment was introduced in the 1950s to allow school boards to charge fees to nongraduating football stars. They said if you cannot get rid of them after seven years, you can charge a fee. That means by implication you cannot charge a fee before seven years. That is the only legal base of the right of adults to secondary education in the whole of the Education Act. It is sort of a ha-ha.

For the legal details of this, I have an appendix. I am not going to go through them but I will refer you to the appendix in my brief.

The result of this peculiar situation is that trustees and school administrators wrongly believe it is a privilege rather than a right for adults to study in their schools. More importantly, they believe it is a privilege rather than a right for adults to request an adult atmosphere in which to study a program that has been designed for their needs, when surely the primary elementary program is not very suitable for an adult.

The Education Act has never been reviewed with adults in mind. It states that school boards may offer evening and continuing education classes. They are not required to do so. In that long list of "mays" you may notice they can also offer a cadet corps and they can also put a fence at the end of the garden. There are a lot of things they can do. That is the stuff that adults are thrown in with.

You are not going to get co-operation between school boards to offer adults an educational program that is designed for older learners when such a program is known to be expensive to the local taxpayers because the grants do not cover it, is optional in law and is marginal. The attitude here is, "We are here for kids, so who cares about adults?"

That is the attitude of most school boards and administrators. In addition, these people are ill-informed about the educational needs of adults, which are different than kids. They are not trained. They do not have a background in the

subject and it is not something that they are particularly concerned about.

These attitudes I have been describing explain why the usual conditions associated with adult programs are: classes in left-over, substandard space—the basement with the locker room; worn-out and outdated equipment—manual typewriters and no access to electronic typewriters; classes scheduled in locations and at times to suit the school board but not the adult—the edge of the jurisdiction instead of the centre, so they have to drive 20 miles to get there; teachers unaccustomed or untrained to teach the older age group; inadequate educational services—they do not get any counselling or library services and no one diagnoses their learning disabilities, although that is why they left school in the first place.

You go to the prisons. You take the reading levels in the prisons, which are very low. They test learning disability. That is one of the reasons they are there. They do not get remedial teaching or any of these services in most jurisdictions. Educationally speaking, adults are now second-class citizens in Ontario, and Bill 30 threatens to make them third-class citizens if you do not change it.

Fragmenting the enrolment base is going to destroy the existing commitment to adults and the expertise or the ability to serve adults in our Ottawa community which has taken a number of us over 12 years to build. Some of our Ottawa trustees are already worrying about the prospect of the increased costs of what they perceive to be an optional service. I am claiming that if we went to court, it would not be optional, but that footballers' amendment is a weak crutch to go with.

When they see that they are being asked to give a secondary school facility to adults and they are being asked to pay their teachers a more equitable rate, rather than half the price of the going teacher's salary, they are worried about the increased costs. The existing level of service, which cost the Ottawa Board of Education taxpayers \$1.8 million in 1984, would cost them much more when the OBE loses 24.1 per cent of its local assessment support base to the separate school system. Once we lose our assessment, will we really continue to provide the service?

2:20 p.m.

Although adult education may be a worrisome detail in the minds of those who framed the bill, you must realize that school boards play a central role in the provision of adult education in Ontario. If you destroy the viability of their adult

programs, it will be a serious setback, not to the rich but to the educationally disadvantaged.

There is a recent report from Statistics Canada which indicates, first, that in 1983 school boards provided 20 per cent of all academic courses which were taken on a part-time basis by persons 17 years of age and older. We are a big power in the market. That includes universities and colleges. If you take the whole system, there is a lot of action in our area.

Having analysed the same data put out by Statscan, the Canadian Association for Adult Education makes this important point: "Among the public-sector-funded educational organizations"—colleges, universities, etc.—"only those controlled and funded at the local level, the school boards, reach out extensively to educationally disadvantaged adults." The rest are for those who had a great time the first time around and are making pretty good salaries.

At a time of high unemployment and rapid technological change, we in Ontario must be careful not to reduce the base for an already uncertain program which provides the foundation for all job retraining. There is no point saying, "Go to college." The college system will not accept you in the plumbers program if you do not have grade 10. Where are you going to get grade 10? You are going to get it from us. I want to remind you in closing that 20 per cent are functionally illiterate, so it is a serious matter.

All the briefs I know of—I have not been here the whole time and I do not read all of Hansard—that you have heard during the last three months, those that were in support of the extension of Catholic schooling, talk about school-aged kids and the desires of their parents. I am not aware that anyone is asking for confessional education for adults. I think everyone assumes that adults' religious beliefs are already formed.

Do not sweep this problem under the rug. It is central to the educational system, not peripheral. I would like to ask Mrs. Wright to speak from the perspective of an adult student.

Mrs. Wright: I am a student at Parkway Adult School in Ottawa. I became a student at Parkway Adult School as a result of a newspaper advertisement. I had reached a stage in my life where my personal commitments and family obligations were such that I was able to pursue an interest I have had in botany for many years.

In 1982 I applied and was accepted for admission to the faculty of science at Waterloo University. It was not long, however, before I realized that my commercial training was insuffi-

cient to handle the maths, physics and chemistry of science and that I would need to grasp the fundamentals if I were to succeed.

Like me, most of the students of Parkway have come with the hope of improving their lives. These students range in age from 18 years upward. They come from varied backgrounds and conditions. Whatever the reason, they all have two things in common: hope and fear. It takes a great deal of courage for these adults to become students. In time, however, these fears give way to a growing self-esteem and renewed hope.

Parkway is quite simply a godsend. This is true not only in my own view, but in the views of many students with whom I have spoken on the merits of Parkway. Personally, I consider myself privileged to be a student of Parkway. I suppose of all my impressions of this marvellous concept, nothing impresses me more than the calibre of our teaching staff.

It is because I feel so strongly about Parkway and the adult education program that I am here to express the deep concerns of the continuing education student population in Ottawa relative to the reorganization of the high school system and its possible effect on our school.

We are concerned that the new legislation regulating the Catholic and public school systems will possibly fragment an effective system of adult education such as we already have at Parkway. Serious consideration should be given to the merging of the two school systems at the adult level since the differing religious beliefs underlying the two systems do not concern most adult students.

My task here today is to impress upon you that the adult needs of our community are very worthy of your consideration. I fear that the need of adults for a regular high school facility for day school classes may be prejudiced by the requests of the separate school board for the transfer of high school buildings for its use.

For adult students, the ideal school would be centrally located. It would house facilities for commercial studies, technical shops and physical education, as well as academic subjects. In addition to an adequate library, it would provide laboratory facilities for biology, chemistry and physics. Finally, it would offer diplomas and certificates in credit and noncredit courses.

In addressing the question of an exclusively adult high school as opposed to an integrated or segregated but shared high school, we wish to make it clear that while we feel no animosity towards the students in the regular high school

system, it is our opinion that adults and adolescents are best educated separately.

Can you imagine going through high school with your mom or dad? I think you will agree it would have cramped your style. We think the reverse also applies. I would like to point out that many of our 650 students prefer to travel great distances daily to attend school in an adult environment, despite the fact that they can legally attend their local high school. I drive more than 80 miles a day for such a privilege.

The ground rules that must be established for the smooth operation of an adult high school are not the same as those required for the operation of a regular high school. The priorities of an adult are much different from those of an adolescent, and it does a disservice to both to try to combine their different requirements under the same rules.

I appreciate the difficulty of endeavouring to provide an educational service while being confronted with diminishing student enrolments and the resultant closing of schools, as well as the allocation of limited resources in an equitable fashion within the framework of the new legislation. It is our opinion, however, that Bill 30 must be revised to prevent the splitting of the adult student population and the resulting decrease in service.

My life has been greatly enriched, both from an academic and a social point of view, by the adult day school program. I would hate to see this program accidentally damaged or destroyed by legislation that was primarily designed for children.

Dr. Rachlis: To set the scene first, through its continuing education department the Ottawa Board of Education runs two adult day schools: An English-language adult day school, as Dawn mentioned, which has about 650 students each semester, and a French-language adult day school with a much smaller population of about 225. Adults are also welcome to enrol in any high school in Ottawa. Given this choice, the vast majority of them choose to go somewhat out of their way to attend in an adults-only environment. This is the way adults prefer to receive their education, if given the choice.

With these numbers, we have been able to design programs that are viable, in that they offer a fair variety of programs and some adult-oriented support services, counsellors and that kind of support. In the Ottawa-Carleton metropolitan region of 500,000 population, these two are the major centres for adults to upgrade or complete their secondary level of education.

If other providers of education in the region, specifically the separate school boards, begin to compete and siphon off some of these students, the range of programs and services available will have to get smaller as we fragment the market. This applies to our evening schools, as well as to other programs we offer for adults.

To clarify this, if we have 25 adults of all religions in the Ottawa area who wish to take grade 13 calculus, and there is only one place for them to go, those 25 make a class and everyone gets calculus. If we have four school boards, or five if we get a francophone board or three if we have amalgamation, or a variety of school boards in the same area offering calculus, we may get half a dozen students applying to each one. Six students are not enough to run a class, so no one will get calculus. This is what I mean by fragmenting the market.

2:30 p.m.

Another example could be found in the support service area. We have 650 students at Parkway Adult Day School. We can afford to give them two full-time counsellors to service their needs, people who are experienced in adult education and can provide the service they want. If there are two, three or four adult day schools, each with 100 or 150 students, they may not get any counselling or they may be assigned someone who can go there a half day a week, who does not have adult education as their main career, who may not have the expertise and certainly will not have the time to give them the service they deserve.

Most adult continuing education in Ontario is offered currently by the public boards of education. Here is where our concern comes in and why we are here to talk to you today.

Once extension of funding for the Roman Catholic separate school boards is completed, the separate boards may wish to start or expand their adult continuing education programs. We have thought of a number of ways to ensure that the level of service is not decreased from what it is now, and we are not saying that now is perfect either, through fragmenting the market. We have thought of a number of ways to prevent this. We strongly recommend that the mechanisms you might consider be mandated or made compulsory, otherwise this shrinkage of service to the adult students will inevitably occur. Not all these suggestions are of equal weight or of equal value, but we wanted to show you we had put some thought into it.

I believe the Ottawa Board of Education is the only one with a continuing education advisory

committee. Given the option, school boards will not set one up. We are recommending that one way to ensure that service to the adult population does not diminish would be to make such committees compulsory for the school boards. Their function would be to keep the needs of adult learners before the school boards, to advocate for adult continuing education with those boards and promote co-operation among boards to ensure an adequate level of service to adults in the community. That is one way we see we might be able to prevent this fragmentation.

Another option would be to have a regional advisory committee or council on a voluntary basis. There are one or two in the province right now. They do not have any authority and they have been formed on a voluntary basis. Given the option, school boards will not participate in such an organization. It must be made mandatory or compulsory.

By regional, I mean an area large enough to have a sufficient adult student population base for a viable program. On this type of a committee or council, we should include all the agencies which provide service to adult students. This could include unemployment insurance, regional social services, and so on, so there is a co-ordinated effort to help these people get back to school and get through as quickly as possible to become contributing members of society, or to increase the contribution they are capable of making. This council would advocate adult continuing education with the school board, ensure co-ordination of efforts of the boards and the agencies and ensure there is service.

A third possibility, a third way of assuring that adult education is viable, would be to create compulsory inter-board trustee committees so coterminous or adjacent school boards must send representatives to meet and discuss these issues. These members would then return to their own boards and advocate adult continuing education, and ensure there is service to these people.

Another possibility, one which is advocated by many members of the school board for which I work, is amalgamated regional boards. Again the intention here would be to have a large enough base for a viable program, to ensure delivery of service etc.

A result of our brainstorming is as a final possibility a voucher system for adults for continuing education purposes. If an adult has a right to education, and we would like to see the Education Act amended to ensure that right, then he or she gets a ticket that says, "You are entitled to complete your secondary education and you go

somewhere where you want to take it. Find a viable program and sign up for it. It does not matter what your religious background is. It does not matter where you live. You are entitled to complete your secondary school education." We are advocating this as a possibility for your consideration.

Finally, I would like to bring your attention to funding mechanisms which would allow adults continued access at least to what is currently available. Once the extension of funding is completed, public school boards will receive no local taxes from separate school supporters, people who may themselves wish to take the adult basic and secondary education, which the public boards currently offer.

Since the cost of continuing education courses in urban areas is not covered by the provincial grants available from them, the local public school supporter does currently subsidize these courses. Since separate school supporters contribute taxes to the secondary system, their taxes are in this mix as well. Once that is stopped, will the local public school supporter be willing to pay for the continuing education of separate school supporters? We say that a fair system of support for adult continuing education, which is a limited and specialized program, must be found.

We have come up with some suggestions. Some, as you can see from the comments I have made, are better than others. For example, it is not currently possible to charge fees for credit courses. Perhaps one mechanism to allow any adult to take a continuing education course from any board would be to change that, so they could be charged a fee to cover the cost of their education. My caution, however, is that almost any fees for literacy and credit courses would be prohibitive to the very people who need these courses.

Another possibility would be to change the regulations to allow the splitting of assessment between separate and public boards for continuing education users. I do not advocate that either. That would be an accountant's nightmare and is not a very popular way of doing things.

We might require the transfer of funds between boards for adult continuing education. If, for example, half the students at the public board's adult day school are separate school supporters, then we could require the separate boards to transfer money over to cover that cost. Since this would involve them paying and having no say in the education or the arrangements which are being made, I do not think that would

be very popular for these so-called sending boards.

Perhaps there could be a pooled assessment for continuing education purposes, or continuing education could be completely funded by the province; the student shows up, we claim the grant from the province directly and the province gets its moneys from all tax supporters. This would, of course, address the problem of access, who is entitled to go, but it does not help the fragmentation problem if several providers are trying to compete for the same small number of students.

The voucher system was mentioned previously. Finally, we suggested a co-management kind of activity. Again, this would have to be compulsory, to require boards that are coterminous or possibly even adjacent to co-operate in offering programs which have a very limited population base.

In brief summary, adult continuing education in many jurisdictions is a specialized program with a limited population base.

It is my conviction that the right of an adult to an adult education, and that does not mean sitting in grade 2 if that is the level of your reading, through the secondary completion level must be mandated through amended legislation. Mechanisms must also be established to ensure that adults can gather in sufficient numbers so viable programs can be maintained without the barriers of geographic jurisdiction or the red tape of funding technicalities. These are things that can be overcome, and we are asking that you overcome them. I have given you some suggestions. I will conclude by saying what we prefer.

From the suggestions outlined above, what I propose as the most practical solution with little change necessary to legislation and current practices to enable adults to continue to enjoy access to adult education programs is mandatory co-management by coterminous and adjacent boards. These programs will be supported by mandatory school board advisory committees.

This model can be used to assure the continued operation of any specialized programs, not just those for adults, but any that have a small population base, including, as Mrs. Dobell has mentioned, special education programs, technical high schools, commercial high schools or high schools for the performing arts. Under mandated co-management, the boards whose students attend jointly sponsor the programs, jointly share the costs and jointly share the administration, supported by mandated advisory committees. These committees would ensure

that the needs are being addressed. They would advocate with the boards on behalf of the clients and ensure there was a delivery of service.

Mr. Chairman: We have had some comments in the past on continuing education. They have usually been as part of larger briefs on the overall issues. We have never had one which has been as precise and as positively oriented either, I might say, as yours has been. It has been very helpful to us.

Committee members do have questions. The member for Windsor-Riverside wants to start off.

Mr. D. S. Cooke: I have a couple of questions. I agree with the chairman that this is a very helpful brief. You referred to a council on continuing education. You have one in Ottawa, I take it?

Mrs. Dobell: Advisory committee, yes. We decided to volunteer to do it.

Mr. D. S. Cooke: This is part of your board.

Mrs. Dobell: Yes.

Mr. D. S. Cooke: Do you have the other agencies such as the college and the library and other—

2:40 p.m.

Mrs. Dobell: We decided to invite the community college and the two universities to each send a member, so they do. We advertise in the paper and people come. In addition to people we choose out of the paper—we interview them and so on—we ask these institutions to send a liaison member. We were careful to choose somebody from the library amongst the citizens who turned up. We have tried to do that.

Once we got the committee in the room, the members were pleased to be there because there is no other place in the city of Ottawa where you can discuss adult education as a citizen's group. It is amazing the energy and goodwill that group has produced and how it has changed our thinking. We have changed a lot of the focus of our program.

For example, they said to us: "You cannot be everything to all. The school board people have too much muscle. They are kicking people around in the literacy field. There are a lot of frontier colleges and there are a lot of other storefront providers. You have to find ways of co-operating with them so you do not wreck their business, and yet still have a co-ordinated service for illiteracy on a community basis. You do some and others will do some. Make sure it is co-operative."

We have now produced, at their recommendation, a literacy council for the whole city of Ottawa. We are a part of it and glad to be part of it, but we are co-operating with all the other agencies. We would not have done that if the citizens had not come and said, "Look fellows, you think you are great, but there are other games in town."

Mr. D. S. Cooke: We used to have a council in continuing education in my home town—

Mrs. Dobell: Where is that?

Mr. D. S. Cooke: In Windsor. It died. It went out of existence a number of years ago. Do you know how many other communities have one?

Mrs. Dobell: London does. Kingston has a little one, but it is not as big or as good as the London one. Its effectiveness depends on how it is structured and its mandate.

Mr. D. S. Cooke: But in your experience has there been some elimination of duplication of programs offered by other agencies?

Mrs. Dobell: In the literacy field it turned us around. We were telling everybody how to do it and they said: "Quit it. Be a co-operative team player and don't work to the disadvantage of the storefront people, who are members of voluntary organizations and are willing to play." We changed our relationship. We now hire someone, on our tax base, and give this person, hands off, to those organizations as a gift to run their stuff.

Mr. D. S. Cooke: Can you just help me with a better understanding of how the costs are covered by the provincial government, for both the credit and the interest courses as opposed to—

Mrs. Dobell: I sure can. Let us do the interest courses first. The province has opted out. It said interest is not going to get any provincial support. It is all on the local tax base. This has decimated interest courses in poor communities in northern Ontario or rural communities; people without a tax base. You cannot charge full cost recovery for fees. You can with the middle class, but you have a conscience so you cannot for everybody. There has to be tax money in it and the poorer boards cannot do it. It has decimated the interest side. We are not here to talk about the interest. We have our views on that, but we thought we would get into too much of an argument if we did talk about it, so we talked only about the funded courses.

Going back to the academic funded courses: the department people will tell you they are funded in the same way, with a provincial grant. That is true. The provincial grant, thank God, travels across jurisdictions. You do not have to

have somebody in your jurisdiction to get the grant, the grant follows the students. You are not allowed to charge a fee, so the difference between the grant and the cost is on the local tax base.

I gave you a figure. In Ottawa, we paid \$1,889,000 in 1984. We will have to pay more for reasons I went into, but the grant we get for adults is less than the grant we get for the day-school students, because it is calculated differently. In the day school, once you enrol, if you are there on a certain date the province says, "Great, here is the grant." But in the night school and adult day school, the province is suspicious. It says: "Well this is different. It is not going to be done on enrolment, it is going to be done on attendance." So every day there is a snowstorm we lose the grant. We still pay the teacher and we still have the building and the cost, but there is a snowstorm so we lose the grant.

Mr. D. S. Cooke: What percentage, then, would the provincial government actually be picking up on your adult credit—?

Mrs. Dobell: Our expenditure was a little over \$3 million in 1984, and we got \$1,031,000 as a grant. I want to speak about that. We give a little more service than some people do. The point of my remarks is that a lot of people have the poor old adults in the back of the bus. If they get a high rate of grant and they do not give the adults any service the costs are covered; however, the adults are getting a lousy deal.

We are here as advocates for adults. We think an adult needs educational counselling. Why the hell are they doing it if this is not going to have a future?

Mr. D. S. Cooke: I think this is an area we are going to have to take a look at, as a committee, to make sure there is some protection. My younger sister quit high school and then went back to the day adult school we have in Windsor. If it was not for that school she would not be in university today.

Mrs. Dobell: That is the thing.

Mr. D. S. Cooke: So I do know of the usefulness of the continuing education programs.

Mrs. Dobell: Is it in Welland or is it in Windsor where a separate school has asked for a facility in which an adult day-school program is now being offered? In one of the areas down there, and it may not be in your jurisdiction, there is going to be a terrible row, because people will say: "Adults are second-class citizens. Why shouldn't the Catholics have the school boards? To hell with the adults; we will put them out on

the street." They are going to be shoved into the ditch again. The legal base is not clear enough.

Mr. D. S. Cooke: Thank you very much.

Mr. Shymko: No doubt, Mrs. Dobell, you are addressing a major area of concern, which you highlighted using the present high levels of unemployment and the demographic changes among so many seniors who decided, at that stage in their lives, to take courses—retraining, upgrading their skills, etc.

This problem has existed in the past, notwithstanding the fact that we are now discussing the completion of funding to Catholic schools at a secondary level in Bill 30.

Mrs. Dobell: Oh yes, no question.

Mr. Shymko: I am sure lobbying had been done with the ministry.

Mrs. Dobell: Yes.

Mr. Shymko: I understand there may be another forum in which you should be pursuing the matter in addition to this one. You are using the vehicle of deliberations on Bill 30, and this committee, to highlight this problem and to gain some assurance that we will not jeopardize an area where progress should be maintained. Obviously, indicators point out that you will have a great clientele in the future, an expanding clientele of adult students, and a need for such programs.

The reason you are here is to have some assurance this bill will not financially jeopardize that concern. Do you still feel it should be addressed separately?

Mrs. Dobell: If you let Bill 30 go through as it is, and my earlier short remarks were about this, it will make a bad situation worse by fragmenting and snipping the base right up the middle. In our town, for example, where half are Catholics, you will make it impossible for us to operate, or for the service to continue. The whole base will go. Yes, you have to address it in the context of this bill.

In addition, as we also said in our remarks, you have to look at the Education Act and all the rights of adults. You have to address that problem too and that should have been done. I do not want to preach, but it is essential that it be done now. The rights of adults are unclear. It rests on the "footballers' amendment," and all you can do is laugh.

Mr. Shymko: It would also be false to assume the intent of this bill is to destroy the viability of adult programs.

Mrs. Dobell: I never said that. I think what has happened is that many of you, for your own

very valid reasons, have thought about children and the concerns of parents. You were not thinking, and I am not criticizing you for it, of the adult situation. It is like a car going along the road and sideswiping another by accident. Nevertheless, it has happened, or is about to happen or might happen.

If you do not rectify this, if you are not careful, you could have an unintended effect. I know it is unintended, but it is going to be lethal. You have a chance to rectify this, and I am sure you will. We are here to reinforce this.

2:50 p.m.

Mr. Shymko: The Education Act now says school boards may offer—

Mrs. Dobell: That is right.

Mr. Shymko: —evening continuing education. Are you suggesting that should be changed to "shall offer" or "where means exist"? Can you qualify that?

Mrs. Dobell: I am not a lawyer. If you would like to pay me the simple fees I will be right in with the legal wording. The literature does suggest some—I and others have been lobbying on this issue over the past five years and we have put forward wording. I could send you some wording. I hope you have some good lawyers.

Mr. Shymko: Basically, you mean the right of an adult to have at least seven years of education with no fees.

Mrs. Dobell: It is not only the right to education, it is the right to an education from which they can profit. You brought in Bill 82 and you said: "Come on school boards, you cannot throw the weak, the lame, the halt and the retarded aside any more. You have to program for them."

I am saying an adult is no different. An adult has to be programmed for. You cannot treat an adult as if you are in loco parentis. You cannot call them up every morning and ask them where their late slip is and whether they have done their homework—you just cannot treat adults that way and that is one of the problems. We tend to put our cast-off teachers in the adult education program. Adults are pretty smart. They vote with their feet. They are not there long.

Mr. Shymko: Would co-management be the suggestion? We have suggestions on the vocational programs between boards. You mentioned in your introduction—

Mrs. Dobell: Yes, we did and we elaborated on that. Dr. Rachlis will step in.

Mr. Shymko: I wanted to ask Dr. Rachlis: Does the Ottawa Separate School Board now provide adult education programs?

Dr. Rachlis: Very limited. Most of their programs which are continuing-education funded, are directed to kids.

Mrs. Dobell: Heritage programs.

Dr. Rachlis: We have a small number of night school classes at the grades 9 and 10 level, I believe.

Mr. Shymko: But there are none compared to the two institutions that are exclusively—

Mrs. Dobell: And we have—

Mr. Shymko: Okay. Why would you jump to the conclusion that suddenly, next year or two years from now, they will be opening up and creating their own—

Dr. Rachlis: I do not think we said this would happen tomorrow. We are saying the way the legislation is now worded, that could happen in the future. It is much easier, and I think better, to try to address those concerns once they are recognized rather than a few years down the road when something is already in place and it is hard to change.

Mr. Shymko: In other words, for example, the 225 adults in the French-language adult day school who may be, by denomination, let us say, 90 per cent Catholic, could become a separate school board adult education program. Is this what you fear?

Dr. Rachlis: No, that is not a fear. As long as the—

Mr. Shymko: Do you see anything wrong with this happening?

Dr. Rachlis: We have no intention of empire building here at all. The intention is to maintain a viable program.

Mrs. Dobell: In one place.

Dr. Rachlis: If such a program were offered by the Roman Catholic separate school board and not in competition with us, if they took it over, for example, that would be okay, as long as the adult students were prepared to go along with that. It may be that, as adults, they do not feel the need for the religious aspect of the education. That is an additional concern.

If the adult day school were offered mostly to Catholics by the Catholic school board in a jurisdiction, even in ours, that would be fine. It is a question of fragmenting it. If there are two competing and 100 go here and 100 go there, you really do not have anything.

Mr. Chairman: I could see a lot of adults not responding well to mandatory post-catechism lessons in continuing education.

Mr. Shymko: Some may need it.

Mr. Chairman: Some may be in need, that is true.

Mrs. Dobell: It is a little late, maybe.

Mr. Chairman: Yes, that is right.

Mr. Allen: I think our understanding of what the Roman Catholics mean by religiously-oriented education sometimes boils down to catechism and that kind of content. Enlightening the mind is a religious objective.

In any case, may I ask a quick question? Your boards do a lot together in Ottawa in a number of areas. For example, you have gotten together on the special education delivery of service. Are the boards talking about the adult education issue at all at this time?

Mrs. Dobell: I am so glad you brought it up. We invited the four boards, the two in Ottawa-Carleton and the two in the Ottawa area, to a meeting nine months or so ago. We said, "Look, this is coming up and we had better talk beforehand." The Catholics said, "Listen, we have important stuff to do; just leave us alone."

We said, "But once you take the assessment away from us, your people will not be able to come to our classes and the whole thing will start crumbling," and the Catholics said, "Look, just leave us alone."

They did not pass nor would they even allow the resolution to establish a committee to go to their board for six months. They said, "Well, it got lost." A couple of them said both publicly and to me, privately: "Look, adults are a second-class concern of ours. You know we are concerned about kids and kids are the thing and these adults, I don't really know whether there is anything left over for them."

It alarmed me because not only might they not do it but they also would not pay for their adults to come to us. There are two problems. Either they do it and they break the base or, they don't do it but they won't pay for the people to come to us.

Mr. Allen: Am I correct in recalling that the ministry redefined "full-time student" in such a way as to make it more difficult to deliver adult education than it was a year ago?

Mrs. Dobell: They are in the process of doing it. It will be in 1986 according to Duncan Green, the assistant deputy minister. It has to do with day school, not continuing education and, yes, it will make it more difficult for adult returnees who have decided to register in the full cost day school program; not the continuing education programs but the full cost day school. It is an

unfortunate situation for a city like Toronto which must have lots of adult returnees.

Mr. Allen: I do think the bill has to address that question. I also think that the committee will be looking at issuing a supplementary report to the minister on a number of issues that grow out of Bill 30 and are related to it. That may be a subject we need to address there, too. Thank you.

Mr. Chairman: Thank you, Mr. Allen. Questions or comments from any members?

If not, thank you very much for a vibrant and provocative presentation.

Mrs. Dobell: Thank you for listening.

Mr. Chairman: We appreciate it very much.

Mrs. Dobell: Thank you.

Mr. Wiseman: It is still the same as I remember.

Mrs. Dobell: Yes.

COMITÉ DE LANGUE FRANÇAISE, FÉDÉRATION DES ENSEIGNANTS ET ENSEIGNANTS DES ÉCOLES SECONDAIRES DE L'ONTARIO

Mr. Chairman: Our next presentation is from the Provincial French Language Committee of the Ontario Secondary School Teachers' Federation: M. Menard, M. Houle and M. Leblanc.

The presentation will be made in French. For members of the committee there is an English version available in front of you as part of the exhibit.

Asseyez-vous, s'il vous plaît. I have asked Hansard upstairs to have some of their people who are more bilingual to watch the question and answer period when it comes up so we can get that translated as quickly as possible.

On behalf of the committee, I want to apologize for our not having instant translation available here. We did buy a package of translation facilities for when we were travelling, which we used in Sudbury and in Ottawa, but unfortunately the Legislature is not functionally bilingual as yet. As a result, we do not have the facilities to enable all members to listen to you speak in French and have it translated for them, if necessary, or vice versa.

I have been informed that members will be able to ask questions in English if they would like. Il y a quelques députés ici qui sont bilingues et qui peuvent poser des questions en français.

Peut-être vous pouvez commencer avec une introduction. Puis après ça avec le débat.

Mr. Houle: Mr. Chairman, first I would like to introduce the presenters of the brief. To my right is George Menard, the past president of the

Comité de langue française; and on my left, Roger Leblanc, a member of the secretariat of the Ontario Secondary School Teachers' Federation.

Our brief was prepared in French and was translated into English for the benefit of the English-speaking members of your committee. You have just mentioned the fact that a request was made in July to allow us to present our brief in French, and I had written down a note here to thank you for the instantaneous translation—I think I will leave that out now—and another part where I was going to say that once again this shows how serious the government is in providing bilingual services to its francophone population throughout Ontario. I do not know if I should throw that out, too.

3 p.m.

Le Comité de langue française is an important committee of the Ontario Secondary School Teachers' Federation. Its mandate is the protection of francophone teachers and the support of quality education and programs for francophone students.

Mr. Menard will do the presentation, a summary of our brief. It will be in French, since we thought we would have the translation.

M. Menard: Monsieur le Président, membres du comité, le Comité de langue française de la Fédération des enseignantes et enseignants des écoles secondaires de l'Ontario se présente devant vous cet après-midi, tout comme elle a bien voulu se présenter devant la commission de planification au printemps dernier, afin de vous faire part de nos réactions face aux progrès du projet de loi 30, de nos préoccupations face à l'avenir de nos écoles de langue française, mais plus spécifiquement, de nos écoles secondaires de langue française, et de vous offrir des suggestions susceptibles d'éviter l'effritement du réseau existant d'écoles secondaires de langue française.

Vous avez devant vous copies de notre mémoire dans les deux langues officielles du pays. Permettez-moi d'en résumer les grandes lignes en soulignant les faits saillants et en relevant les orientations nouvelles.

Notre comité et notre fédération reconnaissent la fragilité de notre population étudiante francophone, répartie sur un vaste territoire. Comme il est dit la page deux, cette population est tombée de 31,392 élèves en 1975 23,852 élèves en 1983 et, selon les prévisions, elle se situerait aux environs de 22,112 élèves en 1986. Un phénomène semblable se dessine l'élémentaire, quoique moins inquiétant pour le moment.

Donc, face à cette baisse inquiétante de nos effectifs scolaires, la francophonie peut-elle se diviser au secondaire en deux tronçons, comme il arrivera sûrement avec le projet de loi 30? En toute logique, la réponse doit être un "non" catégorique. Ce serait nous aventurer vers un suicide certain que de croire que la francophonie de Toronto, de Hearst, de Kapuskasing, de Kirkland Lake et de tant d'autres endroits puisse subir le choc d'une division en deux tronçons au secondaire, soit le tronçon catholique et le tronçon public.

Les francophones, bien qu'ils aient du lutter durement, longtemps et farouchement pour obtenir leurs écoles secondaires de langue française, sont présentement satisfaits des services éducatifs offerts aux étudiants l'intérieur du système public. Pour nous, la primauté de la langue est essentielle pour maintenir notre groupe francophone unifié. Nous voulons respecter également le droit des parents qui désirent obtenir l'enseignement religieux. Nous croyons donc que les garanties linguistiques et religieuses peuvent être offertes à l'intérieur du système public actuel et que ce serait là la solution la plus valable dans le contexte actuel.

C'est pourquoi nous suggérons de maintenir le statu quo au secondaire, tout en permettant l'achat par les conseils scolaires publics de cours de religion accrédités et de services religieux des conseils scolaires catholiques. Ainsi, la dimension religieuse serait intégrée sur une base facultative pour les élèves l'intérieur de nos écoles secondaires publiques de langue française.

Nous osons même prédire que ce sera l'unique solution valable dans la grande majorité des milieux scolaires si les législateurs désirent maintenir un système scolaire public français viable, dynamique, capable d'offrir une éducation de qualité. Le projet de loi 30, dans sa forme actuelle, place la francophonie dans une situation difficile et, pour cela, à l'instar de notre fédération, nous nous y opposons tout en formulant une alternative qui respecterait la dimension linguistique et religieuse que veut se donner la francophonie.

Aux pages quatre et cinq de notre mémoire, version anglaise, nous abordons la question des lois scolaires pour régir l'établissement d'écoles de langue française, ainsi que leur maintien. Les lois existantes laissent trop de latitude à la bonne volonté des conseils scolaires. Nous croyons que la loi doit garantir à la francophonie le droit ses écoles et que le langage doit être péremptoire afin

d'éviter les luttes stériles, acrimonieuses et épuisantes.

Il est à craindre qu'avec deux systèmes secondaires publics, la clientèle francophone divisée, il y aura tendance pour les conseillers scolaires d'évoquer les arguments de coûts, de restrictions budgétaires, d'appui financier insuffisant de la part du gouvernement, de diminution d'effectifs scolaires et le reste et le reste, afin de retarder ou de refuser d'introduire une programmation en français ou de construire une école là où ça sera jugé nécessaire. C'est pourquoi le législateur doit mandater par des lois concrètes, précises, directes et péremptoires le maintien et l'expansion du système scolaire francophone.

La dernière section de notre mémoire aborde un aspect qui n'a peut-être pas été touché jusqu'à date, et c'est la question du remaniement des frontières scolaires. Le temps pour effectuer une telle étude est peut-être arrivé. D'ailleurs, la commission de planification mise en oeuvre n'a-t-elle pas ce mandat?

Il se pourrait qu'un remaniement de frontières offre une solution possible au maintien d'un système public de qualité. Il est évident, comme il est écrit aux pages cinq et six de la version anglaise, que les frontières actuelles manquent de logique. Il y a une chose certaine: C'est que le remaniement des frontières scolaires et le regroupement de plusieurs conseils scolaires l'intérieur d'une grande régionale faciliteraient la gestion francophone des écoles de langue française.

Une structuration telle que celle que nous proposons rendrait possible la gestion par les francophones de leurs écoles dans presque toutes les régions de la province, et non seulement dans Ottawa-Carleton, comme il est souvent fait mention. La francophonie serait ainsi dotée d'un mécanisme efficace pour gérer ses propres écoles, nourrir et maintenir sa langue et sa culture à l'intérieur d'un cadre administratif respectant la diversité religieuse, tout en maintenant l'unité linguistique, seule garantie d'une évolution culturelle dynamique.

3:10 p.m.

Voilà, Monsieur le Président et membres du comité, nos commentaires sur le projet de loi présentement l'étude, nos préoccupations face à la possibilité de division de la francophonie et nos suggestions pour maintenir le système public actuel, tout en nous offrant les possibilités d'une saine gestion de notre réseau d'écoles, aussi bien primaires que secondaires, l'intérieur des régionales. Nos recommandations suivent le rapport.

Nous vous remercions, Monsieur le Président et membres du comité, de votre accueil, déplo- rant peut-être le fait qu'on n'a pas pu se permettre la dépense d'une traduction instantanée, et nous nous mettons à votre disposition afin de répondre à vos questions, s'il y en a.

Mr. Houle: Mr. Chairman, we will entertain questions in English and in French and we will answer accordingly. If asked in English we will answer in English.

Mr. Chairman: If I might, on behalf of the committee, I will make contact with the standing committee on procedural affairs to raise with it the concern you have raised about the lack of simultaneous translation and suggest that it is time, as one of the means of opening up this House, to get to it and to make it available here so it is not an ad hoc thing that a committee has to try to arrange for one group coming in but is here at all times. If I have the permission of the committee, I will send a note to the chairman of the other committee.

M. Guindon: Monsieur Houle, est-ce que vous pourriez me répondre ou me donner des explications de ce qui est arrivé à 10,000 élèves depuis les dernières années?

M. Houle: Au secondaire?

M. Guindon: C'est le secondaire qui fait—

M. Menard: Ce sont des chiffres du—

M. Guindon: Vous avez dit qu'on a mainte- nant environ 22,000?

M. Houle: Ce qui est arrivé c'est la baisse des effectifs scolaires qui se produit à travers la province, où le nombre d'élèves dans nos écoles secondaires a baissé. Cela s'est passé dans les écoles anglaises aussi bien que françaises. Il y a une baisse complète du chiffre d'élèves.

M. Menard: L'éclosion des naissances durant la guerre a pris fin et puis ces gens sont maintenant dans la trentaine. On a subi le choc au secondaire un peu après les gens de l'élémen- taire. C'est pour ça qu'il y a une diminution. Je pourrais appeler ça les ravages de la pilule, mais c'est tout simplement une opinion personnelle que j'ai eue.

M. Guindon: Quand vous parlez des grandes régionales, est-ce que vous avez déjà formulé un plan?

M. Menard: Pas nécessairement, parce que nous croyons que le gouvernement ici, c'est avec trois partis qui cherchent à tour de rôle à prendre le pouvoir, ont certainement des experts pour étudier la démographie et en arriver peut-être une nouvelle circonscription. D'ailleurs, ils le font

à tous les 10 ou 15 ans. Ils revoient ce que je pourrais appeler au point de vue politique les ridings. Puis j'ose croire que ce n'est pas nécessairement pour s'assurer d'obtenir les votes puis faire élire un candidat en particulier qu'ils changent les frontières. Mais la révision a lieu.

Donc, elle pourrait nécessairement avoir lieu maintenant parce que les régionales existent depuis, je dirais, 1969. Il est grandement temps qu'on revoie si la population a déménagé ou si le taux de naissance est un peu plus élevé dans le Nord parce qu'il fait plus froid, ou bien, parce qu'il n'y a pas d'autre chose à faire, trop de chômage. Il peut y avoir toutes sortes de raisons.

M. Leblanc: On peut regarder l'Est de l'Ontario, Ottawa-Carleton, Prescott-Russell, Stormont, Dundas et Glengarry pourraient certainement être ensemble en termes de la franco- phonie. Dans le Nord aussi, Sudbury, Espanola, North Shore pourraient certainement être ensemble.

M. Guindon: Monsieur Leblanc, c'est ça que j'essayais de comprendre, si l'on veut le qualifier de cette façon-ci, c'est que les régionales ne seraient pas faites à la même échelle que les écoles publiques.

M. Leblanc: Non, c'est peut-être possible pour les anglophones aussi, mais certainement c'est possible pour les francophones.

M. Menard: C'est plus nécessaire pour les francophones.

M. Leblanc: C'est plus nécessaire pour les francophones pour essayer de—

M. Menard: Il me ferait même plaisir de siéger sur un tel comité, si on m'invitait. Ne croyez pas que je suis trop partisan à un parti plutôt qu'à l'autre.

M. Guindon: Un jour, on pourra en faire la demande pour vous, mais je ne sais pas si ça va aller.

Mr. Leblanc, can you explain in some short way the need for francophone schools and for the protection of francophones in Ontario in general?

Mr. Leblanc: As the brief indicates, what we are most concerned about is the fact that if the legislation goes the way Bill 30 is going you are going to take the francophone population and split it right down the middle. We have small schools, especially in the north. Blind River has 175 students in one small entity. Kirkland Lake has about 200 students. Split that in two and you completely split the programs; in which case I think you completely split and destroy the francophones through Ontario.

The same thing is not going to occur in Ottawa-Carleton, but it will certainly occur throughout the north and that is a very delicate problem. What we are trying to say is that the schools have gone extremely well in the past and they are going well again. Why change what we have now, which is excellent under the public school system?

Another thing I would like to mention is that those schools where about 98 per cent of the students are Catholic have experimental courses in human and Christian values. You can almost say that they are religion courses, but they are not called religion courses. They already exist in those schools. Back in 1978 we asked the Ministry of Education to allow religion courses and to call them religion; we tried again about two years ago. It has always refused.

An easy way of doing it, as we suggest in the brief, is to leave the francophone schools as they are and simply have the buying of services. Give the religion courses on an optional basis, and the credits can be given by the separate school board. The teacher can come from the separate school board but the students will belong to the public school board and the francophones can remain together. Do not split the population.

Mr. Houle: I am from Elliot Lake, an area where we have one French high school and one English high school. Bill 30 will certainly create havoc out there because it will be splitting the two schools.

Mr. Guindon: Jeunesse-Nord école secondaire?

Mr. Houle: No. I am at Villa française des jeunes. As Mr. Leblanc mentioned, we do offer a course in human values. I have a nun who teaches that course. What else could the separate school board want in that school? Religion is offered. It is a credit course. Students opt to take it, and if the local priest were to ask to come in and do some religious work with the kids the door would be open. I find that Bill 30 is changing things that do not have to be changed.

Mr. Guindon: Mr. Chairman, with your permission, as a member of this committee I would like to suggest that we take this under serious consideration. The francophone problem in Ontario is quite serious, especially at the high school level. I will pass for now.

Mr. Chairman: We have been hearing about it in various places.

3:20 p.m.

Mr. Shymko: Tout d'abord, je vous félicite pour votre présentation. Je crois que le fait que

vous êtes ici exigeant une traduction simultanée de votre présentation va nous aider, de la part de notre section de l'Association internationale des parlementaires de langue française, dont le président du comité était membre et continue à être membre, d'exiger cette traduction, pas seulement dans le cadre d'un comité mais, espérons, dans le cadre de l'Assemblée législative. Alors, je vous remercie. C'est pour cette raison-là que je voudrais enfin vous adresser quelques questions en français.

Tout d'abord, la suggestion qui fut présentée au sein du comité par la FEESO au sujet d'éliminer la division de deux systèmes scolaires et de créer ce dont on parle, un système unifié, nous pose plusieurs problèmes. Ce qu'on essaie de faire, c'est d'accommoder la diversité de buts, soit dans ce cas-là de retenir le patrimoine linguistique et culturel des Franco-Ontariens, un but constitutionnel, disons, en essayant une diversité de moyens. Et dire que le système scolaire unifié est le seul moyen de préserver cette diversité ou ce besoin, ça ne me rend pas confortable à ce point-là, parce qu'il y a plusieurs moyens de le faire.

Est-ce que je comprends votre suggestion, que vous ne suggérez pas de créer un système scolaire unifié comme exigence de la part d'un groupe dont le but est l'enseignement aux élèves francophones secondaires de notre province, mais d'exiger que ça soit pour certaines sections de la province, disons que dans le Nord de l'Ontario on peut parler d'un système scolaire unifié, mais pas de condamner toute la province à cette suggestion?

M. Menard: Si vous me permettez d'abord, je suis tellement enchanté de vous entendre vous exprimer dans un français si beau, si impeccable, si chatouilleux l'oreille que, tout à coup, même si je n'ai pas eu l'occasion de consulter mes confrères, je me sens conciliant.

M. Shymko: Vous voulez changer de comté?

M. Menard: C'est ça. A ce moment-là, je serais prêt à dire que ce n'était pas vraiment le seul. Ce que nous voulions dire c'est qu'il nous semble le meilleur moyen, mais pas le seul. Est-ce que ça vous irait? Puis là nous pourrions nous retrouver dans les coins du Nord isolés.

M. Shymko: Bon. Parce que du point de vue philosophique, quand on parle du fait que le but, c'est l'avancement pédagogique des membres de votre comité, qui existe depuis déjà sept ans, je crois?

M. Menard: Notre comité existe depuis 1968.

M. Shymko: C'est de défendre la culture et la langue française. En parlant de la culture française, on ne peut pas éliminer la proportion assez importante du patrimoine religieux, naturellement: 98 pour cent des élèves qui participent au programme d'écoles d'instruction en langue française sont catholiques. La culture, ça fait partie de la religion.

M. Menard: Je pourrais vous dire que ce n'est pas mon choix, parce que s'il n'y a pas d'écoles élémentaires françaises, et que je crois profondément dans mon for intérieur que je crois dans ma langue, je crois dans ma langue maternelle, peu importe quelle est la nature de l'école, si la seule école qui va offrir cette dimension francophone et culturelle mon enfant est une école à caractère religieux, je vais l'inscrire parce que, pour moi, la langue passe d'abord. Je peux vous assurer qu'il y a beaucoup d'enfants dans les écoles élémentaires séparées, françaises ou francophones, dont les parents ne vont pas à l'église et ne pratiquent pas, ou bien, sont ce que nous appelons des catholiques gros grains.

M. Shymko: Je vous comprends de dire que du point de vue historique et constitutionnel, on accepte le fait du droit des Ontariens francophones un système scolaire séparé. C'est un fait accompli.

M. Menard: D'accord.

M. Shymko: Le malheur qui existe c'est qu'on vient d'ébaucher à ce point-là, on commence un élan et puis boum! voilà le projet de loi 30 qui arrive et qui complique les affaires. Enfin, circonstances historiques de deux événements très majeurs dans notre droit, aussi important, et ça c'est le droit historique et constitutionnel aussi d'un système séparé dont la religion, bien c'est inscrit dans la Constitution. Alors, c'est d'essayer d'intégrer, de balancer ces deux droits d'une manière efficace, pratiquement de dire ce qui va se passer un droit. Est-ce qu'on va diminuer ou détruire ce droit-là en donnant droit une autre garantie?

Je comprends que ce n'est pas facile. Je soutiens tout d'abord votre suggestion, enfin, de clarté dans le projet de loi, de frontières révisées, du remaniement de frontières qui s'impose, c'est ce que soutient mon collègue et je crois que le comité va s'y adresser.

Mais vous voyez la frustration du comité. On parle de deux droits. Je pense que le droit religieux et le droit de la langue française peuvent s'intégrer en même temps, disons à Toronto, peut-être Windsor. Il y aura des problèmes pratiques en Ontario, mais vous n'êtes pas contre le fait qu'on peut avoir une école secondaire

française en même temps qu'elle ferait partie d'une école du système scolaire catholique à Toronto?

M. le Président: Nous avons ici quelques droits en conflit, je pense.

M. Menard: Je ne veux pas, moi, tout à coup, indiquer du doigt que telle région peut avoir une école secondaire française séparée catholique, puis tel autre endroit ne peut pas l'avoir à cause des nombres. Je respecte votre dilemme. Il n'y a pas d'hésitation qu'éventuellement c'est une décision que le gouvernement devra prendre.

Je sympathise avec la question de l'heure, mais je suis encore très concerné pour ce que nous avons présentement et de maintenir le statu quo. J'aimerais qu'on ne change rien que si c'est pour améliorer les conditions et jamais pour les rendre pires. Notre bref indique que les chances sont à 80 pour cent de les rendre pires plutôt que de les améliorer si vous créez, sans sauvegarder ce que nous avons présentement, deux systèmes complets où il y aura une école secondaire française publique avec 75 élèves, puis une école secondaire française catholique avec 225, plutôt qu'une seule avec 300.

J'accepte tout ce que vous m'avez dit, sauf le point où vous avez semblé me dire que pour les francophones, la langue et la religion vont de paire. Je n'accepte pas ça. La langue et la religion ne vont pas de paire plus pour les francophones que pour n'importe quelle autre langue, et pour moi la culture, ce n'est pas la religion. C'est bien le fait français.

M. Shymko: Je n'ai pas dit ça. C'est un facteur important.

M. Menard: Je voulais m'assurer et je voulais souligner que les 98 pour cent des élèves français catholiques le sont peut-être pas de mon choix, puisqu'ils ne pouvaient pas rester francophones et puis ne pas fréquenter l'école séparée catholique en Ontario.

M. Allen: J'apprécie beaucoup votre bref. Premièrement, quelques questions et renseignements. Combien de professeurs d'expression française y a-t-il dans la FEESO?

M. Leblanc: Je peux donner cette réponse. Je suis content que vous l'ayez mentionné. Nous sommes environ 600 dans les écoles secondaires de langue française et nous avons environ 1,000 membres dans les écoles d'immersion et ceci augmente nécessairement jusqu'à un point que très bientôt, vers 1992, nous serons environ 2,500 membres de notre association. Je dois vous dire que nous sommes extrêmement fiers de faire

partie de notre association et nous voulons y rester.

M. Allen: Tous ces professeurs sont membres de votre comité et vous appuient dans votre activité?

3:30 p.m.

M. Leblanc: C'est que certainement qu'ils nous appuient de la même façon que nous avons rencontré les études de notre association. Nous sommes d'accord avec le mémoire qui a été présenté par eux le 24 juillet, il me semble, et eux aussi sont d'accord, d'après ce que nous avons ici.

M. Allen: En général, quelles sont les responsabilités de votre comité dans le contexte de la FEESO?

M. Menard: Je suis le président sortant du Comité de langue française. M. Houle est le président actuel. M. Leblanc est un membre du secrétariat de l'OSSTF, mais rattaché au Comité de langue française; c'est donc dire qu'il nous sert de secrétaire, entre autres.

M. Allen: Votre comité est très actif dans le contexte de la FEESO?

M. Leblanc: Oui, il l'est énormément. Voici ce que l'on fait, c'est qu'on doit desservir les membres; on doit s'assurer que l'association dessert bien les environ 1,500 membres que nous avons présentement. Nous avons des réunions régionales. Il y en a une à Cornwall après Noël, Timmins, Sudbury, Toronto. On produit ce qu'on appelle *Nouvel Horizon* et on envoie à tous les membres une copie de ceci chaque mois, approximativement.

De plus de ça, nous organisons présentement de la part de notre comité un cours en France l'été prochain pour les professeurs de notre fédération qui s'intéressent à enseigner en immersion. Nous avons des cahiers pédagogiques qui viennent du comité. Alors, il y a toutes sortes de choses.

M. Houle: Nous organisons une conférence justement en mois de janvier sur l'immersion et il semblerait que ça va être très populaire, puisque les professeurs en immersion ont besoin justement, en ce temps-ci, de matériel de la sorte.

M. Menard: "FEESO" est la traduction officielle de "OSSTF". L'OSSTF a un comité de développement pédagogique, entre autres, sur lequel siègent deux directeurs de guides pédagogiques, un pour les francophones puis un pour les anglophones, et à chaque été, il y a des équipes qui produisent des guides pédagogiques. Ils en produisent en anglais, ils en produisent en français.

Il y en a un qui va sortir présentement. Il est en immersion parce qu'au secondaire l'immersion est la crise de l'heure. L'OSSTF s'est donc penchée sur ce problème. Puis en même temps qu'elle organise une conférence d'envergure majeure, elle lancera sur le marché son guide pédagogique en immersion pour aider les professeurs survivre dans la salle de classe, puisque même le ministère de l'Éducation n'a pas eu le temps de se pencher sur la certification puis la préparation des professeurs en immersion.

M. Allen: Quelles sont les relations entre votre comité et l'Association des enseignants franco-ontariens? Est-ce possible d'être membre conjoint?

M. Leblanc: Ce qui est arrivé à peu près en 1969, c'est que la Fédération des enseignants franco-ontariens—peut-être qu'il y en avait de notre côté qui dormaient un peu—a exigé que tout professeur qui entrait dans une école de langue française doive être professeur de l'AEFO, et ceux qui étaient l'oeuvre auparavant pouvaient rester à l'OSSTF. Nous ne sommes pas du tout d'accord et on espère que dans l'avenir ça va changer. Maintenant tous les professeurs qui enseignent à l'immersion doivent être professeurs de notre fédération, et en grande partie ce sont des francophones.

Maintenant, comment sont les relations entre les deux associations? Disons que souvent on va négocier ensemble en termes de salaires, mais nécessairement eux autres ne sont pas d'accord avec nous autres en termes de ce que l'on veut pour nos francophones, et on croit que les professeurs francophones devraient avoir le choix d'appartenance, soit à l'AEFO, soit à l'OSSTF. Présentement, ils n'ont pas le choix.

M. Menard: Je dirais que les relations—puis vous allez comprendre certainement ma réponse—elles sont excellentes, elles se qualifieraient de semblables à celles du Nouveau Parti démocratique avec les libéraux présentement.

Interjections.

M. Menard: Vous allez comprendre, vous autres, ce que ça veut dire, être isolé, Messieurs.

M. Allen: Vous avez fait référence la possibilité des conseils régionaux comme solution pour la francophonie, particulièrement dans les régions de l'Ontario du Nord, par exemple. Pouvez-vous me décrire votre idée du fonctionnement de la gérance des écoles francophones dans le contexte de ces conseils régionaux?

M. Leblanc: Ce qu'on a suggéré dans le bref, c'est ceci. Disons sans parler de la région de l'Est—Ottawa-Carleton, Prescott-Russell, Stor-

mont, Dundas et Glengarry, Cornwall—on pourrait avoir un directeur d'éducation, on pourrait avoir des surintendants régionaux qui resteraient dans ces régions-là. Il y aurait un directeur d'éducation, et les conseillers scolaires se réuniraient une fois par mois. Il y aurait des conseillers scolaires peut-être qui pourraient se réunir à Cornwall une fois par mois et aussi une grande réunion une fois par mois, soit à Ottawa ou ailleurs.

Alors, c'est un peu comme on avait dans le passé. Anciennement, quand vous aviez des petits conseils, c'était le principal qui était en charge de l'école et on n'avait pas besoin de directeurs généraux. Je suis convaincu en ce moment-ci qu'on n'a pas besoin dans chaque région d'avoir des surintendants.

M. Allen: Mais dans ce contexte, un sous-conseil homogène francophone, ou des conseillers dans les autres conseils, quelque mode de représentation pour la francophonie?

M. Menard: Ce que nous avons présentement laisse à désirer parce qu'encore une fois c'est trop politique. C'est une question de nombres, une question de coûts. La pire chose qui puisse arriver en éducation c'est quand on laisse tout simplement l'aspect politique dominer et que les décisions se font uniquement au point de vue politique et non pas pour le bien de l'éducation.

C'est le danger qu'on relevait ici. C'est le danger que le projet de loi 30 va apporter, parce que les francophones ne seront pas seulement à la merci maintenant de un conseil scolaire dans leur milieu où ils avaient leur école, mais il y en aura deux. Ils auront l'élément catholique, puis ils seront encore en minorité. À un moment donné on va dire: "Ce n'est pas logique qu'on vous donne une école secondaire de langue française," et la bataille sera à reprendre.

Nous ne sommes pas entièrement satisfaits de ce que nous avons présentement et c'est la raison pour laquelle nous avons demandé à un moment donné, là où les nombres permettaient, de créer un conseil homogène où les francophones pourraient voir au plein développement des élèves sous leur juridiction, tel que et Ontario Schools, Intermediate and Secondary Divisions et le ministère de l'Éducation ou le gouvernement préconisent quand ils disent: "Chance égale à tout élève en Ontario de s'épanouir pleinement, non seulement au point de vue physique mais au point de vue intellectuel, social et culturel."

Présentement, non, nous ne sommes pas heureux parce que le comité aviseur de langue française ne peut que faire des recommandations et les lois du gouvernement ne sont pas

péremptoires. C'est "may". Ce qu'on aimerait avoir c'est "shall". Il y a lieu d'avoir d'amélioration et dans ce contexte-là on espère en avoir.

3:40 p.m.

M. le Président: Je vous remercie de votre mémoire et de vos commentaires. Cela nous donne plus de questions et de problèmes que de solutions. C'est toujours comme ça avec les questions difficiles. J'espère que s'il y a une chose qui vient de cette réunion, c'est que peut-être l'autre comité de notre Législature peut changer la méthode de recevoir les groupes en français ici. J'espère que ça sera le cas et je peux peut-être vous envoyer une copie de la lettre que je donnerai M. Breaugh.

M. Houle: Cela serait très apprécié, Monsieur le Président, et je vous remercie de nous avoir reçus. Nous réalisons que votre tâche n'est pas facile. Je pense que je préfère être assis ici que de l'autre côté.

Mr. Chairman: To the viewers of Rogers Cable, I hope you enjoyed your French class here as well as the members participating with us today.

PHILIP MULLEN

Mr. Chairman: Our next presenter is Mr. Philip Mullen.

Mr. Mullen: Do I read it to everyone?

Mr. Chairman: You can proceed however you like, either by summarizing or by reading.

Mr. Mullen: It is very short, on both sides of the sheets.

In 1867 the British North America Act stated the Roman Catholics in the province of Ontario and the Protestants in the province of Quebec would continue to have the same school rights they held at that time. However, four years after Confederation, the Ontario High School Act despotically denied Catholics the right to operate a high school system beyond grade 10 from public funds.

Now the provincial government is supposedly prepared to rectify this serious miscarriage of social justice. This is not the case with the forced hiring of redundant public school teachers and supervisory officers by the separate school boards throughout Ontario. This will eventually eliminate the religiously-based separate school system as we know it today.

One might ask: "What is a Catholic school?" A Catholic school should be a God-centered community of faith in which prayer, worship of God, the celebration of God's word, the consideration and application of his law as it is related to

the morality of living and the brotherhood of man are integrated into the life of the school and the content of the program.

A Catholic school is not a school in which the Catholic child is set apart from everyone else. A Catholic school is not a school in which religion is taught for two hours a week. Rather, a Catholic school is God, His truth and His life, which are integrated into each school subject, whenever and wherever possible.

A Catholic school aims at academic excellence as well. Thus, the student learns to study and love and live in the light of Christ. The aims and objectives of the Catholic school system are fundamentally enshrined in Roman Catholicism, its doctrines, traditions and religious ceremonies. Obviously, this educational ideal can only be promulgated by classroom teachers and supervisory officers who wholly accept and practise their Catholic faith.

Therefore, the government of Ontario must extend the funding of Ontario's separate school system without any restrictive conditions. To do anything less is a betrayal of the clergy generally, and the nuns specifically, who founded and sustained the system through its financially-impooverished years.

This prostitution of an educational ideal based on Christian principles will bankrupt the morality of the separate school system. What Mr. William Davis has effectively put in place with Bill 30, with the acceptance, en masse, of forced hiring and promotion policies regarding surplus public school teachers and their supervisory officers by the separate school system in Ontario is one system with two administrative bodies.

St. Michael's College High School in Toronto must have arrived at this obvious conclusion because it has opted out of the funding extension. Nevertheless, throughout Ontario the public school boards are prepared to fight in court Bill 30, the funding of the Roman Catholic separate schools, at a horrific cost to the taxpayers of Ontario.

The Ontario Secondary School Teachers' Federation is in turn prepared to battle the issue at great financial cost to its teachers. In both cases, the moneys and time would be better spent in examining ways in which class sizes could be reduced, thus improving the quality of education. This in turn would solve the surplus teacher problem in the public system.

As mentioned, to be a truly viable alternative, the separate school system must retain its identifiable differences to the public school system. As a consequence, the restrictive condi-

tions of Bill 30, regarding the forced hiring of redundant public school teachers and supervisory personnel, are unacceptable.

I just have a couple of notes here. I think the main problem here is the funding. Apparently the government is prepared to spend, this year, something like \$3.2 billion, is it not? The problem as I see it would be to try to cut costs. The possibility for cutting costs is—if everybody is willing to co-operate—arises from the suggestion that Grade 13 is no longer necessary; that it is no longer a preparation for university, due to the variety of subjects offered and the marked lowering of standards. Universities and colleges are better equipped to do the job.

A great deal of money is being spent on special education, as it should be, but very little, if anything at all, is being done for bright students. To really make better use of the moneys, bright students should be identified early. This could be done through vocational interest and aptitude testing in Grade 8 and Grade 12.

You may not agree, but many kids with excellent ability drop out of school, not because they cannot do the work, but because they are bored stiff. They arrive at about grade 10 and they get bored with the system; this lock-step system that takes years to finish. For some strange reason, it only takes students in Quebec 11 years to complete their education, short of university, while in Ontario it takes 13 years.

Why hold back these really bright students? The University of Chicago has entrance examinations, and I think everyone here is probably aware that children 15 or 16 years of age are going to the University of Chicago.

There should be province-wide standards for promotion and diplomas. This would make better use of education moneys. Many students realize that diplomas are worthless because of lowered standards. Programs of study should be the same for all boards of education, as was the case in 1968 prior to the amalgamation of the various school boards.

As well, the focus of education should be on the student. The boards of education have romanticized programs to the detriment of the student's learning.

There is certainly an unemployment crisis. Evidently there are 150,000 young people out of work; it is my guess there are a lot more. There should be a working relationship between industry, education and business. We are still importing trained tradesmen from Europe; we are not training them here. We are dumping our young people on the job market and they are not trained.

As far as I am concerned, learning really only starts after you have finished with the system.

A student who is 20 years old—it was in yesterday's *Toronto Sun*—will be trained seven times in his or her lifetime. The schools should provide this training; at this time they do not. In many American universities and colleges, it only takes one extra year to get a degree at night school, as opposed to going to school full-time during the day.

The expensive funding of extracurricular sports programs should be looked at because it serves so few students. Sports associations and civic recreation departments can do as good a job at a lower cost.

As I mentioned, the primary focus of education seems to be to lower standards and keep kids out of the job market. This is a Band-Aid approach to the problem of unemployment and it serves no purpose at all. A working relationship between industry, business and education, such as they have in the United States and Europe, would provide training at a lower cost and be more profitable to our students.

Pensioners should not pay education taxes and the construction and design of schools should be standardized; schools should be made more portable, and should be used 12 months of the year.

I believe the *Toronto Star* printed an article two or three years ago saying that the Liberal Party takes the position that education trustees are redundant.

That is it.

Mr. Chairman: Do you agree with that position?

Mr. Mullen: Very much so.

Mr. Chairman: Okay. It just was not clear.

3:50 p.m.

Mr. Mullen: It is absolutely ridiculous now with the Toronto school board, where apparently—if the papers are correct—the powerful people on the board are members of the New Democratic Party. They are going to run people in every ward in Toronto on the Toronto school board. This is going to be a real contradiction. Here is the New Democratic Party favouring abortion. They eliminated the Lord's Prayer in the public system, and they are going to probably be in the power position in terms of the Catholic school board. Am I going too fast for you?

Mr. Chairman: You are making the member for High Park-Swanse (Mr. Shymko's) day.

Mr. Shymko: I am just listening to the chairman's reaction.

Mr. Mullen: That is it.

Mr. Chairman: Oh, that was it. Okay, fine. Thank you.

Mr. Mullen: It is kind of futile attempt on my part, but I thought I would—

Mr. Chairman: Are you here as an individual or a parent? You did not give any biographical introduction. We have had a number of individuals come before us, which has been very helpful, but I was wondering if you could tell us a little bit about yourself and what brought you before a legislative committee.

Mr. Mullen: I have 26 years in education, 16 as an elementary teacher and 10 years as a guidance department head in three high schools. I have two masters degrees, one of which is a master's degree in guidance and counselling, and several years in business. That is it.

Mr. Chairman: So you have come with a fairly hefty background in education. That was all I was trying—

Mr. Mullen: Outside business as well, and industry.

The interesting thing about people who set policy in education is that they have never been outside the school environment, either as a pupil or a teacher. They know very little about what life is all about. I do not know whether you would agree with that.

Mr. Chairman: I often find generalizations of that sort dangerous.

Mr. Mullen: Are they? To whom?

Mr. Chairman: I find they usually gloss over the realities that exist. In general, generalizations do that because they miss startling examples of people who contradict them.

Mr. Mullen: Here is the point I am trying to make as far as education is concerned: we need to get more people through the school system better trained to meet the needs of industry. All you have to do is look in the want ads of any newspaper and the bottom line is experience. Right?

Mr. Chairman: Sure.

Mr. Mullen: Yet all the people who are appearing before you have vested interests. How many people have talked about the students?

Mr. Chairman: A lot.

Mr. Mullen: Have they?

Mr. Chairman: Yes.

Mr. Mullen: In terms of religion?

Mr. Chairman: No, in terms of many things; and many students have spoken on their own behalf.

Mr. Mullen: Really? That is great.

Mr. Chairman: We have had almost 700 deputations at this point.

Mr. Shymko: We had the opportunity to travel to Sault Ste. Marie yesterday and listen to deputations from two Catholic high schools, St. Mary's and St. Joseph's. St. Mary's is run by the Basilian order, the same order that has been charged with educating our Catholic boys at St. Michael's here in Toronto.

I am puzzled as to why the order would make a decision not to opt into the completion of funding in Toronto and yet that same order, running another school in the Sault, accepts continued funding, has opted into the proposals, and does not see this as a "a prostitution of an educational ideal based on Christian principles that will bankrupt the morality of the separate school system."

Mr. Mullen: What is the question?

Mr. Shymko: My understanding is that you are supportive of this bill except for its restrictive conditions.

Mr. Mullen: That is right. What is the point in funding two systems and administrative bodies at a very high cost if they are going to amount to one system anyway? I cannot see where there is going to be any difference a few years down the line.

Mr. Shymko: You are using the example of St. Michael's. Allegedly its decision not to accept funding and to remain private is based on those restrictive conditions, that may have led to that conclusion. My question to you is why would the same order that apparently made that decision for those reasons, allow and accept funding in Sault Ste. Marie for another Catholic boys school and not see these restrictive conditions as bastardizing or prostituting their Christian educational ideals?

Mr. Mullen: I think you are talking to the wrong person. I cannot really tell you. Seriously, maybe they think something is better than nothing.

Mr. Shymko: There may be some other factors for that decision. I just wondered if you would know or if you could speculate.

Mr. Mullen: No, I do not. As I see it, the public system has the teachers and the separate system has the students and there is going to be a crossover, certainly of the teachers. In effect, it is going to be one system. I cannot think of anybody not realizing that as a fact.

Mr. Shymko: We know there are in the Metropolitan Separate School Board—I do not

have the exact figure, Mr. Chairman, but having listened to all these deputations you may know—a percentage of the staff at the Metropolitan Separate School Board who are non-Catholic. There is a figure.

Mr. Chairman: As I recall, it is less than 10 per cent in Metro, but I have had so many—

Mr. Shymko: For some reason I thought it was five point something per cent.

Mr. Chairman: It is very possible.

Mr. Shymko: I just wonder if in fact your feeling is that if these conditions are unacceptable, why is it that the board for so many years has had non-Catholic staff teaching in these schools, although they were not of the same faith; and then, notwithstanding the number of students who also participated—

Mr. Mullen: This is what the Catholics have been sold. They do not just teach religion a couple of hours a week. That is integrated into every subject and program in the system.

Now somebody is kidding somebody and this is the ideal, of course. I think a lot of this five per cent of the teachers who are non-Catholic in the separate school board in Toronto probably were hired when there was a teacher shortage.

Mr. Shymko: We do not know, but apparently it is not perceived by the board or by the principals that they are a threat to the value system inculcated within the Catholic school system of education at these schools.

Mr. Mullen: This is just my opinion.

Mr. Shymko: Thank you very much.

Mr. Chairman: Any other members? If not, Mr. Mullen, one of the things that has been important to this committee is that individuals have come forward and expressed their opinions to us in strong terms and we appreciate you having come down to do that with us today. Thank you very much.

Mr. Mullen: Thanks very much.

Mr. Chairman: The next presenter is Mr. Orenstein. Ian Orenstein accompanied by David Orenstein. The brief has just been circulated to you members. This is 669.

I know you have been in the audience before, Mr. Orenstein, so you know how we operate. The moustache is Ian and the beard is David. Perhaps you would like to take us through your brief and we will have questions following.

IAN AND DAVID ORENSTEIN

Mr. I. Orenstein: I could start from the front

page. The title is: The Facts Point to Only One Just Solution. The preamble by Ian Orenstein.

Both my brother and I are here as individuals, but we are members of an organization. We are both members of the New Democratic Party.

Among other things, I am the secretary of the New Democrats to Preserve Public Education. My brother Dave is a steward for Local 595 of the Ontario Public Service Employees' Union, the local for supply teachers.

I would like to thank this committee for giving us time to give our views on the important issue of education in Ontario.

Let us go back to the time before the May 2 election was called. A man by the name of William Davis, then Premier of Ontario, brought down a plan to extend funds to separate secondary schools. This same man I hear will be before this committee tomorrow.

4 p.m.

The Watergate hearings never got to question Richard Nixon, but you will be able to ask Mr. Big about this present controversy.

If I were able to ask Mr. Davis a question or two, I would ask him why he changed his former opinion that the extension of funds would cause strife in Ontario. If his new pro-extension of funds opinion is correct, why did he introduce his plan to extend funds without consulting his own Minister of Education and then retire as Premier before the policy became legislation? He left the ball for the next Premier to run with.

In the election, the electorate said it did not want the complete funding of separate schools. Even though the three party leaders in the Legislature had a gentlemen's agreement not to debate the issue in the election, the issue still raised its head. After the election, this committee was given the job of dealing with the only item on education in the NDP/Liberal pact; the extension of funding to Catholic separate secondary schools.

Would it not be nice if this standing committee on social development was dealing with social development? The Minister of Education should have had his own standing committee to deal with this issue. This committee should be dealing with issues such as the need for cheap housing for people who live under overpasses and in bus shelters, the problem of mental health care in and out of institutions, the needed guaranteed annual income, day care, family violence and nutrition.

Instead, the government has dropped the education issue on Richard Johnston and this committee which was set up to deal with the

social problems of our society. With friends like this, who needs enemies?

Seeing this committee is dealing with the education issue, I will get back to it. Before I get to what has been said in front of this committee, I would like to quote from this leaflet. It was passed out at the Labour Day parade.

The title is: "Time to move into opposition. NDP must break with the Liberals." It states, on separate school funding:

"The extension of funding is an issue which will cause serious damage to the public school system in the short term. It also opens up the Pandora's box of public funds for all private schools. This issue will result in grave electoral repercussions for the NDP which has always had much backing from public school supporters, parents, teachers and students."

This committee has heard arguments both pro- and anti-extension of funds to separate schools. The pro-Catholic education people have said: "Present non-Catholic teachers in the separate schools should be fired for a number of reasons. Non-Catholics should not get promotions in some areas of the separate schools. Separate schools should get all public school buildings in some communities. The anti-extension people are bigoted."

The defenders of public education have told this committee about the problems the funding will cause. They fear for their jobs in the public system and they are not so sure they will be hired by the separate schools. You have been told non-Catholic secretaries are not hired in separate schools. It has been pointed out there is no mention of supply teachers in the proposed legislation. Maintenance employees fear for their jobs. They fear more public schools will be closed if the proposed bill is passed. They also fear non-Catholics are not going to be able to opt out of religious instruction.

The response to all this by NDP and Tory members has been to support amendments to the present bill; amendments such as students being able to opt out of religious teachings, more employment guarantees etc. One NDP member has been moved to say, "Of course public schools should get more money." We find these amendments and statements of the committee members encouraging. It shows that some members of this committee are listening.

It is also encouraging because this item is the only item in the NDP/Liberal pact on education. If not passed, it could end the unprincipled pact.

This ends the preamble. Now to the introduction. My brother Dave will be reading what he

calls the new 95 theses. The introduction deals with the problem of Ontario education and has a conclusion. After he has finished, I will give our solution to the problem.

In 1517, a Catholic monk, Martin Luther, nailed to the door of Wittenberg Cathedral his 95 theses which were up for disputation to all challengers. This started the beginning of the Reformation. We give these new 95 theses in the same good-natured discussion.

Mr. D. Orenstein: Not owning a cathedral, I took one of the doors from our record collection.

Mr. Chairman: You have to make do with what you have.

Mr. D. Orenstein: There is a crisis in Ontario public education. There is no doubt about it. The fundamental cause is a serious and pervasive underfunding.

For one thing, the elementary and secondary schools have become the dumping ground of myriad social problems without proper backup. Not enough teachers are to be found in any of the sectors to carry out the required educational tasks. Students' academic careers are being blighted by inadequate libraries, oversized classes and dispirited teachers. Thousands of teaching careers are being destroyed on the basis of narrow financial criteria. Schools and colleges are being closed or are threatened with closure.

At the elementary level, there is a desertion to private schools with their smaller classes and avoidance of students with problems. Even the new provincial Treasurer (Mr. Nixon) says the cupboard is bare. There is no money available. Yet we now find that Catholic high schools are to get a 50 per cent increase, compounded the following year to a 100 per cent increase in public funding. This is the only concrete proposed solution coming from the government for the education crisis we have.

Declining enrolment is not a cause of this crisis; it is merely used as an excuse. We can fund domed stadiums and luxury condominiums. Declining enrolment certainly is not applicable to colleges and universities, where the breaking point is being reached with overcrowding pushing against underfunding.

The actual form of the crisis is lived in many ways, but every student or teacher faces it. I know the University of Toronto particularly well from nine years there as a full-time or part-time student. As our largest and most important educational institution, and the nearest educational neighbour of Queen's Park—in fact, it is your landlord—it exemplifies too well the crisis.

The most glaring single example I have ever come across is the men's washroom, which had to be shared as laboratory space in the U of T botany department. On a regular basis, research equipment has to be used as teaching equipment because there is no budget for that.

Library hours are being steadily reduced. At the university level, the library is the heart of the university, as it is throughout the educational system. In universities the advanced and specialized courses are disappearing rapidly. That also applies at the high school level. For example, it is almost impossible to find a geology course in the high schools now.

Every single school, college or public library either cannot replace its books and has to cancel subscriptions or is inadequate in keeping up with its own fields. The textbooks are ancient and there is little choice. Even the most common and basic supplies are becoming rationed. Computers are being bought, in preference to getting books in the elementary and high schools. On top of all this, we have found that apprenticeship programs are being eliminated or curtailed.

Another scandal is that some elementary schools dare to reduce from two physical education teachers—in other words one man and one woman; it is important to check the change rooms—to just one.

More generally, with the various special mandates that have been coming on the regular classes have been steadily growing. In this crisis the public secondary schools have probably been the worst hit. In addition to the general crisis of underfunding, they are now undergoing the disaster of the OSIS curriculum guidelines and raiding by the Catholic schools.

Even 15 years ago, about the time I started at the university level and finished my own high school, Ontario's education system had severe limitations. However, at least the basic programs received adequate financial support. Unfortunately, 15 years ago the Minister of Education became the Premier, and since then there has been a steady erosion of provincial support.

4:10 p.m.

Another scandal is that the colleges and universities have been cheated out of their full share of earmarked federal funding. While discovering the various special education mandates, the ministry found no new cash to support them. To compound this, most school boards and their trustees have been willing accomplices in the slow strangling of education. Even teachers' unions have not been fighting the general crisis in

education as you now see them fighting against Catholic high school funding.

There have been exceptions among the boards, such as the Toronto Board of Education under the leadership of the New Democratic Party and people of other political positions. It has been trying to rescue education through a variety of innovative programs. In response to this, the ministry and the past Minister of Education have been concentrating their destructive plans against the Toronto board.

Education has suffered, as have so many of the social services, from the massive accumulated—legally it is tax avoidance, but I think it is tax evasion by the rich and powerful. It is something in the order of \$50 billion a year in Canada, bigger than the combined federal and provincial deficits. In general, in education and other areas, there is too much acceptance of the totally false dogma of fiscal restraint.

There is a problem. What shall we do about it? A total reform is necessary and should be carried out to rescue education from this crisis using the principles that a developed, democratic society such as ours should have. Just think of it. Through the number of people involved and its importance to Ontario life, you could say that education as a whole forms one quarter of society.

As a starting point, absolutely everyone is entitled to acquire the basic communication skills. In addition, the minimum standard of education is a completed secondary education. This is a social fact. Moving on, any qualified student should be able to get post-secondary education without financial barriers.

In terms of the whole system, we want to increase the accessibility of education geographically, socially and ethnically to give people a chance to come to the schools or have the schools go to the people. Teachers at all levels should be supported in their difficult job, which we feel is so important to our society. Both the pedagogy and the curriculum must change steadily in the light of our new knowledge. Declining enrolment, where it exists, should be seized as an opportunity to tailor programs to individual students.

Education policy should be determined as democratically as possible by returning power to the local school boards, particularly in Toronto where it has been siphoned through the Metropolitan Toronto School Board and thence to the ministry, and by the establishment of empowered and representative councils of the school and college communities.

In terms of the specific rights we want to embed in the system, both the positive and protective civil rights of our society are vital to the public education system. All teachers throughout public education, not just university professors, must possess full academic freedom and tenure.

Franco-Ontarians have a specific right to a complete French-language public education system under their democratic control with appropriate funding. Similarly, all Ontarians have the right to acquire fluency in both official languages, in both rural and urban Ontario, and in both working-class and capitalist neighbourhoods.

Many students have disabilities that make study more difficult. They thus have a special right to the material and people to facilitate their studies. All students and teachers in publicly funded schools must have the inalienable right to avoid religious indoctrination. Specifically, teachers must be free in their personal lives to divorce, send their children to any school, and so on.

Northern Ontario deserves special attention because of its vast size, linguistic balance and regional individuality. There you see French and English public systems that are complete right up to the university level. The north should be involved in educational studies. Native people are deserving of a full system in Ontario and we should be preserving all other heritage languages and cultures through the school system. Forced segregation, as in the southern United States, must be avoided.

Public education provides employment and a market distributed throughout Ontario. It is big business. It is not only big business in Toronto; it is big business in Sudbury, Casselman and Owen Sound.

The modern economy vitally needs both educated and trained people. Education is the major single market for many industries, such as publishing. A fine education system attracts new industries to Ontario. In smaller centres, you must realize that schools make for the basic economic viability of a community. In general, education can provide many more steady skilled jobs.

Public education is the foundation of Ontario's cultural development. Let us bring cultural performance instruction, piano teaching, for example, into free and ample provision in the public system. Teaching has long been helping artists to survive. In fact, it helps them in the subsidization of their cultural life. Our creative

fellow citizens deserve more solid support than the marginal career support they have been getting in teaching.

The geographical spread of the educational system means we have high culture in other places besides downtown Toronto. Another aspect that seems to be too often ignored is that school buildings should contribute to our culture by being good architecture. Finally, every educational institute should be trying to find its own correct cultural specialty.

Here is something for you as the social development committee: a properly supported system of public education brings immense and omnipresent social benefits to a society. The school is the centre of the local community. By learning and playing together students from varying sectors of society can break through the entrenched prejudices that we want to eliminate. Going in the other direction, all employees, not just teachers, have the dignity of working in an essentially valuable service.

All education should have its research component. At its highest level, education is indistinguishable from research, starting with elementary students who can do serious work in local history research. Our extensive school system allows access to local natural history and conservation problems throughout the geographical zones of the province.

Look at community colleges. Their research should be every bit as important as that of the universities, though more applied. Throughout the system, we should be engaging in pedagogical research. Secondary schools can serve as the research centres for the town or for the city ward.

4:20 p.m.

Finally, at the apex, we have the universities which must be supported so they can produce the best research and scholarship in the world. Education should be lifelong for the individual. It is a vital economic need for our society. Adult students and part-time students must be integral to public education, not peripheral and silent as they are now.

Work and study must intermingle. I would like to see this Legislature produce laws enforcing education rights for all workers. These rights should include one day per week and one year in seven as paid educational leave. Universal day care should be provided. That frees housebound parents for work and education.

Teachers of part-time studies deserve full equivalent rights. Also, we should send formal education into the home and into the work place. This is happening in a small way, but we do not

yet have enough. There should also be organized backup for self-initiated study groups. Confidence in our public education system is more important than confidence in our banking system. The answer to the crisis is a properly funded, unified public education system.

Mr. I. Orenstein: The facts point to only one just solution. I would like to paraphrase another Martin Luther, this time Martin Luther King Jr.

I have a dream that one day Ontario, whose present government's words are of segregation of students into different school systems, will be transformed, so that little Catholic boys and little Catholic girls will be able to join hands with little non-Catholic boys and non-Catholic girls and walk together as fellow classmates. I have a dream that one day all students, black students and white students, Jews and gentiles, Protestants and Catholics, will be able to join together in one adequately funded public school system.

What would solve all our educational problems now? Stop the funding of separate secondary schools and start a unified publicly funded public school system; not unified boards, but a unified school system. If the French-language boards want their own boards, let them have them.

Where numbers warrant, we can have religious teaching. We believe religion belongs in churches, mosques and synagogues, but we are willing to compromise. If students of the Islamic faith want it, they can get instruction in their religion in a class. Where numbers warrant and a class is full of atheists, they should have lessons in why God does not exist.

We believe only public schools should get public money. We believe a unified public school system that is properly funded would make the present problems disappear. We would have universal education for all groups of students and more jobs for teachers. Special education classes would be able to do their jobs. The NDP policy against public funding of private schools would finally be fulfilled.

Before unification, let us stop the present extension of funding to separate schools now. The people who want complete funding of both boards before unification are like the old joke where the child is praying with one hand that is hurt and one that is normal, "God, make this hand like the other one." That is what could happen if you have complete funding. We could have not two complete good systems, but two inadequately funded systems.

If one system violates human rights, what we need is not more money to continue bad

practices. We need to move to one publicly funded public school system now. Thank you.

Mr. Chairman: I could not help but be tickled by the notion of classes for atheists. Would you have classes for agnostics to explain why they do not know whether God exists?

Mr. D. Orenstein: If numbers warrant.

Mr. I. Orenstein: You have to believe in democracy. You do not decide what they want; they decide.

Mr. Chairman: Are there questions from committee members? I have nobody on the list yet. You have blown them away with your 95 articles, laid out on your record collection door. But you have got yourselves on the record and had your chance to be heard. Thank you for coming.

Our next presenter is Mr. Hopperton; exhibit 670. He has been waiting patiently most of the afternoon, I notice.

H. E. HOPPERTON

Mr. Hopperton: First, I would like to say thank you to the committee for allowing me as an individual citizen to make a presentation to you.

My name is Hugh E. Hopperton, and I reside at 55 Hopperton Drive in the city of North York. I am a private citizen in my 74th year of life, a parent, and I have six grandchildren. I am vitally interested in Catholic education.

In the far-off days when I attended school, Catholic grade schools were funded only by the tax on real estate owned by Catholic people. All high schools were private, and only the privileged could attend. I was not one of the privileged, needless to say. As a matter of fact, I started work at age 14 and have been working ever since.

I am sure this committee is well aware of the history of education in Ontario; so I will only mention that in 1841 the province passed an act to provide for the funding of education, and Roman Catholics were given the right to establish their own schools and to have them financed through the direction of property taxes. In those days most wealth was in the form of real property; so the system worked reasonably well. Also, education at the acceptable level of 1841 is certainly not the level acceptable today. The British North America Act of 1867 reaffirmed the right of Roman Catholics to their own schools. Today, this principle still holds, but circumstances have changed.

Today, most real wealth is in the form of stocks and bonds held for investment and, by its nature, is very fluid. A large part of today's

wealth is in the form of amenities such as transportation, hydro, utilities, etc., which are in the last analysis owned by Catholics as well as non-Catholics. Not one cent of their taxes goes to the separate school system. This is hardly fair or just. Catholic people form about 36 per cent of the population of Ontario; therefore, about 36 per cent of the school population per se is also Roman Catholic and should receive on a per capita basis exactly the same funding of their education as non-Catholics in the public school system.

The economic environment has changed radically in the past 100 years, and so has the social environment. Today, we have the Ontario Human Rights Code and a Constitution, which define Canadians as a people who wish to be fair to all, regardless of race, colour or creed. I submit the children of Catholic parents are indeed Canadians and entitled to be treated as such and not discriminated against, especially in the field of education.

4:30 p.m.

The debate and discussion on the Catholic community's just claim to be allowed to complete this constitutionally protected and guaranteed school system has carried on for more than 90 years. This question has had a particularly high profile in the arena of public discussion since the detailed brief presented to the provincial government in 1969 by the Ontario Separate School Trustees' Association.

There has been adequate airing of the issue, especially during the past year, both in the hearings of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario and in the extensive media coverage.

At some time talking must end and action begin. That time is now, as the three political parties have agreed. May I interject my tribute to them for their sound public thinking in developing a unanimity of opinion. All 125 members elected to the new Legislature were voted into office by people who knew that the party they represented was pledged to implement legislation providing for the last two grades of the separate school system. Let us finish this job now.

We must not be influenced by those whose concern is the maintenance of power and influence of their association rather than the equality of educational opportunity for all Canadian students, regardless of their religion, race or creed. There is actual benefit in diversity, and I would like to see our Jewish brothers follow

along with their own schools; they are fine Canadians, some of the finest Canadians we have in this country today.

Why do Catholic parents demand a Catholic education for their children? To us Catholics, education is to no avail, regardless of the fact that it produces the world's best scientists, doctors and engineers, unless it is based upon the foundation of the purpose of our existence, which is to know, love and serve God in this world in order that we may achieve our eternal destiny to be with God for all eternity, for which He created us in the first place.

It is only when people have a sound ethical background that all man's good shall be each man's rule, that the common good shall prevail and that we can have that tranquility of order which is peace in this beautiful province. It is injustice which, by its nature, breeds dissension. We do not want it in Ontario.

It is for these reasons, that to a Catholic parent a Catholic education is not negotiable. To illustrate my point about taxes, may I cite my own case. I pay about \$4,000 a year in realty taxes, of which the school portion is directed to the separate school system; but the taxes on my stock portfolio of about \$1 million go to the public system. In addition, all the taxes from all the public amenities which I use and support likewise go to the public system. This includes the vast commercial and industrial assessment of Toronto and southern Ontario.

Our proclaimed tolerance as Canadians means that all tax money must be disbursed equally among Canadians, especially in the field of education; no child should be discriminated against.

I have been assured by the Ontario Separate School Trustees' Association that the value and excellence of the public school system will at all times be respected, that no teacher currently teaching will be made redundant and that no harm will come to the public school system.

I have with me the brief that is put out by the Ontario Separate School Trustees' Association. I think you have all seen it. On one side it says:

"We respect the value and excellence of the public school system. We do not wish to see it jeopardized. We will employ, in our secondary schools, any person who is displaced from local public secondary schools as a result of completion."

The other side says:

"We are endeavouring to co-operate fully on the issue of equal funding to the equal benefit of

all students, regardless of their race, colour or creed."

Furthermore, studies have shown conclusively that fully funded public and Catholic high school systems in many other parts of Canada, notably Alberta and Saskatchewan, have caused no rancour or divisiveness.

Stephen Lewis, our very noted ambassador to the United Nations, said:

"The separate school case has been put with such care and moderation that I cannot believe that angry voices will prevail. Reports about explosive political potential make better media copy than they make good sense."

Yes, the media had a field day over this simple issue of giving young Catholic Canadians a completed education. Even this simple transition has been twisted so that many people sincerely believe the whole school system will blow up and Toronto will be another Belfast—God forbid that ever should happen. A simple slip of the tongue by the tolerant, gentle and saintly Archbishop Garnsworthy was taken and used in headlines to attract attention. It could have been overlooked, but it was not.

May I close by stating that we in Ontario murder thousands of Ontario Canadians in their mothers' wombs each year. These Canadians would fill quite a few schools and classrooms in the public school system; how very sad.

I thank you, ladies and gentlemen. Do not let the media make up your minds for you.

Mr. Chairman: Thank you, Mr. Hopperton, for taking the time to come and speak to us.

As I saw your opening sentence, I began to wonder why it was that Bingham Avenue, where I live, was not called Johnston Avenue. However, noting your accomplishments as you went through, in terms of your success in business, etc., I presume it has something to do with those.

Mr. Hopperton: Yes. I developed land, buildings and amalgamated companies and many things of a similar nature in my career.

Given goodwill and common sense, for which Canadians are renowned, this thing can be accomplished with a minimum of dislocation. I admit there are little towns in northern Ontario where there is not enough population on both sides of the fence to sustain a high school. In the brief of the separate school trustees they say it is not their intention to close; they will all have to go to one. That is only reasonable. You cannot build a high school when there are not enough students to fill it.

Given goodwill and the exercise of common sense, along with discussion and negotiation,

there should be no trouble. All I can say, as a Catholic parent and as a person who has a small influence in the Catholic community, is that that will be what we will drive towards.

Mr. Chairman: On behalf of the committee, I would like to thank you very much for the tone of your brief. We have all been impressed by the generosity and conciliatory nature of the brief. I know Mr. Davis, when you announced your age, was a bit taken aback, as I was, that you could be 74—especially from Mr. Davis's point of view, given how much hair he still has. However, it has been a real pleasure having you here before us.

I do not have any questioners at the moment. Are there any questions? It was a very straightforward brief.

Mr. Hopperton: It does not require too much elucidation.

Mr. Chairman: Right.

Mr. Hopperton: May I say thank you for your great courtesy and the privilege of being with you.

Mr. Chairman: It was our privilege.

The committee recessed at 4:41 p.m.

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From the Ontario Secondary School Teachers' Federation:

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Leblanc, R., Secretariat

Menard, G., Past Chairman, French-Language Committee

From the Ottawa Board of Education:

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No. S-46

Hansard

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Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, September 19, 1985
Evening Sitting



Speaker: Honourable H. A. Edighoffer
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 19, 1985

The committee resumed at 7:37 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: I will be chairing tonight, and the first group before us is the London Women Teachers' Association. Welcome to the committee. I am sorry we are a few minutes late in starting, but here we are. Please introduce yourself and start at your convenience.

LONDON WOMEN TEACHERS' ASSOCIATION

Ms. Hill: My name is Marilyn Hill and I am the president of the London Women Teachers' Association. Susan Burke, who will be presenting our brief, is a former president and is now an advisor.

We are representing 850 women in the elementary panel of the London Board of Education. Scheduling did not permit us to meet in London, but we are happy to have the opportunity to speak with you tonight regarding our concerns about the implementation of this bill. I will now ask Susan Burke to present our brief.

Ms. Burke: Good evening. I must admit it is with mixed feelings that we are here tonight representing the women in our association. It does seem futile for us to expect that our presence this evening—number six hundred and somewhat, I am told by the news today—will have any impact on the implementation of full funding to separate schools, since Mr. Conway has already announced a \$34 million expenditure. We have been asked to pass along to you the concerns of the teachers in London about the cabinet decision to transfer the funds without any real debate or vote in the Legislature.

We are frustrated by the fact we are appearing before you in all good faith to discuss something that is a fait accompli. The importance of the full funding issue, as I am sure you are well aware, cannot be overstated. We must, however, go on record as deploring the process by which this legislation came about.

Much has been said and continues to be said about the former Premier's unprecedented act of announcing major social policy without discussion, and one wonders what understanding of democratic principles motivated Premier Davis to announce the extension of full funding to separate schools, as if his announcement had the force of law. No doubt tomorrow morning there will be an opportunity to hear Mr. Davis.

It also concerns us that, for 12 months after the statement, the citizens of Ontario waited in vain for public opportunities to voice their concerns before the implementation or the funds were transferred. As well-educated and highly competent educators, who understand better than anyone else the real world of the classroom, we have in the past provided input and opinions about education issues in Ontario, and we will continue to do so.

However, tonight we are also hopeful that after months of repetitive and numerous presentations, the members of this committee are still listening, still hearing, and we hope, still giving careful consideration to the concerns voiced by the citizens whom you represent in the Legislature.

In July you were presented with a brief from the Federation of Women Teachers' Associations of Ontario. It is one which carefully and clearly articulates the many societal and financial concerns being expressed by citizens throughout the province. The recommendations included in that brief are strongly endorsed by the London Women Teachers' Association.

Many program, enrolment and staffing concerns have been expressed by our board and by our secondary school colleagues. It is evident that Bill 30 was written to address the secondary school panel. We believe insufficient attention has been given to the impact that full funding of separate schools will have on public elementary schools.

In London, we are a junior kindergarten to grade 13 system and, like all other systems, the Ministry of Education recognizes this fact in its curriculum documents. The recent Ontario Schools, Intermediate and Senior Divisions document stresses the interconnection between the two panels. Therefore, any adverse conditions on the secondary system are inevitably

going to have a ripple effect on the elementary system.

Declining enrolment in London elementary schools has occurred for a variety of reasons. Should Roman Catholic parents who previously sent their children to public elementary schools now decide to transfer their children to separate schools, the effects on the elementary schools could be considerable.

There exist real possibilities of increased redundancy of elementary teachers who would have no system to turn to for employment. Furthermore, it is quite conceivable that secondary teachers, who choose not to transfer to the separate school system or cannot for any reason, could bump elementary teachers with less seniority. The seniority systems in the two panels in London are quite different. The seniority system in the secondary panel is largely based on subjects, whereas the elementary panel is based on years of experience. That in itself, in one system, provides some difficulties when it comes to a fair seniority system for all.

In addition, the elementary schools are smaller than secondary schools. A decline in enrolment of a very few students can jeopardize the very existence of the school. I am in a school that is currently in that kind of situation and even three admits or three demits from the entire school population can have quite an effect on staffing and whether the grades become split grades. We are even looking at the possibility of triple grading this year. In small schools particularly, there is quite an impact from any declining enrolment.

In London, the elementary schools are very important to their communities. Although it is a large city, it is very closely knit and the opposition to the possibility of closing schools has been very strong. Our public board in London has very extensive school accommodation guidelines.

Those of us who have been on any of the committees that are dealing with the possibility of twinning or closing the schools can attest to the fact the parental involvement is extensive. There are very strong feelings that parents, as taxpayers, moved into the areas to have their community schools and strongly resent any possibility that these schools could be closed. Sending young children on buses to distant schools when neighbourhood schools stand vacant, is equally distasteful and costly as well.

With regard to the loss of teaching positions, many issues must still be addressed. Some of these include: Which teachers will be displaced

and how they will be displaced because of the enrolment and it is not something that would be rather obvious when it comes to staffing procedures for both elementary and secondary; what protections are afforded these teachers; designated lists of the displaced teachers, who makes them up and who monitors that they are being followed; and any guarantee of sick-leave gratuity and retirement gratuities.

As the legislation is worded at present, we in the elementary panel seem to have no protection from the adverse effects of extended funding. The entire issue of employment protection must be re-examined from the perspective of preventing unemployment as both direct and indirect results of the funding. The provincial Federation of Women Teachers' Associations of Ontario's brief mentioned very clearly many of the employee protection issues. I will not repeat them here tonight. You have the brief and can review those. We concur strongly with them.

The right to promotion is another issue we would like to address tonight. Within the educational system, this will be a very difficult right to protect. During the past summer, an administrator from a separate school board stated emphatically to participants of the ministry's principals' course in London that the principal in the Roman Catholic school is considered the religious leader of the religious community, meaning the religious community of homes, families and schools in the area. This would clearly exclude non-Roman Catholics from promotion within the separate system.

As members of an organization representing women, we have studied, and indeed lived, the situations that are barriers to promoting women. Unstated prejudice, behind-closed-doors prejudice, nonspecific promotion criteria and systemic discrimination, whether conscious or unconscious, are difficult to identify.

Nevertheless, they are very real. They are very powerful factors that prevent women from being promoted. We see no real difference in the situation where religion becomes another criterion. To add a "non-Catholic" lifestyle to the criteria, may well mean that non-Catholics who are forced to transfer to the Roman Catholic system will have to abandon all hope of becoming principals or superintendents.

We have monitored the responses of boards of education to requests by the previous and current governments for voluntary, affirmative action programs. These responses are not encouraging. Political rhetoric and memoranda from the

minister are not enough to ensure that women are given equal opportunities for promotion.

Similarly, the guarded responses of the separate school trustees and members who have addressed this committee, as well as our own local committees, do not lead us to believe that subsections 136(19) and 136(20) will be enforced for either men or women, and that definitely concerns us.

Apart from the formal statements that are made, we are hearing daily from Roman Catholic people and other teachers who are saying, "Let's not kid ourselves. The chances for promotion are going to be very slim for non-Catholics in the Catholic system."

I would suggest that for the Catholics in the Catholic system seeking promotion, to have a non-Catholic get a promotion would further intensify the ill-feelings now surfacing in our society because of this funding and the discussions around it.

We believe very strongly in a public education system, and we believe this has been a major factor in the stability of our society, not only in Ontario but indeed all of Canada. London continues to grow as a multicultural city, and the public education system has provided programs to meet at least one of the ministry's goals, and certainly most of them.

This one goal is to help each student develop esteem for the customs, cultures and beliefs of a wide variety of societal groups. So the existence of students from various linguistic, cultural, racial and religious origins in our schools gives all students the common cultural experience to help realize this goal, an awareness of others of dissimilar backgrounds. We are all getting along quite well in the public education system, and learning about each other, which is a fundamental goal of society.

There are many other goals of education, and the London Women Teachers' Association really questions whether the proven tradition of public education can survive in the cost struggle of fully funding two parallel and competitive education systems. Someone has to pay for the estimated \$80 to \$150 million being discussed to implement full funding.

We, the elementary teachers, know how disastrous further cutbacks in funding would be to our students. We have a variety of teaching personnel in the public system. We have a variety of backgrounds. Each one of these teachers can bring a tremendous amount of background experience and opportunity to the classroom.

7:50 p.m.

We also have a cross-cultural learning centre in London, and we have used this extensively in the public system. This provides us with audio-visual material, kits, and speakers, many of whom are students from the University of Western Ontario, who come into our classrooms to further the education of our students by bringing their food with them, pamphlets, newspapers from their own countries and all sorts of things. We do use this quite a bit in the public system.

It is our firm belief that the money being spent on full funding should be used to improve the existing programs for all elementary children, and that means both in the separate schools and in the public schools.

A child's future is largely dependent upon the education that she or he will receive in the early years of school. Those of us who have taught from kindergarten to grade 6 or to grade 8 can tell you with full confidence, that those early years are critically important, and too long overlooked by the systems which have been providing programs for too many years.

The attitudes of these children towards learning, towards other students are formed and their self-confidence is built.

Any exceptionalities they may have that are the beginnings of their discontent with school, which can ultimately lead to dropping out, to failures in school, can be identified and programs can be designed specifically for them. This of course cannot go on without adequate funding.

Despite the efforts of school boards and the professionals, there still remains room for improvement.

The additional funds to elementary schools would ensure that teachers would have the necessary materials to meet the individual program requirements; that the class sizes would be reduced to realistically provide the individual attention by the teacher to each and every child; and that primary children would not have to experience rotary timetabling because of inadequate staffing.

Necessary materials can include setting up an entire junior kindergarten or kindergarten program which costs thousands of dollars. Every toy, every puzzle, every game, every activity centre, all the paper required, the pencils, paints, all that, costs money, and the continuing complaint of the teachers of these young children is they do not have enough money to get what they want.

Teachers pay a considerable amount of money on out-of-pocket buying to get the games they need. In my own school they are constantly telling me about going to garage sales, going to flea markets, anything to get bargains on materials they can use in their schools.

It is not that our board does not provide the money; it is just that the money available to these teachers, when looked at in perspective with the entire educational system, is clearly not enough.

Kindergarten teachers are not the type of teachers who complain bitterly, but rather they make do because the little ones they have to teach are so critical to them that they make a real effort to just keep providing what they can, even if it comes out of their own pocket.

Much was written about the background and the research of class-sizing in the brief by the Federation of Women Teachers' Associations of Ontario. I will not repeat that here, but as a vice-principal and as a grade 5 and 6 teacher, I cannot tell you strongly enough how critical class size is to programming and to meeting children's needs.

If we have 300 minutes of school a day and 30 students in the classroom, 10 minutes a day is not individualized attention—if, indeed, a student would get a full 10 minutes a day.

The rotary timetable is a fact in elementary schools. There are some teachers who cannot teach music. They cannot sing two notes together. There are some teachers who are much better qualified to be teaching the physical education programs.

There is the implementation of French in London this year, and that is providing different timetabling problems. Students having two and three, up to eight teachers a week in providing the programs, is certainly not out of the ordinary. The London Board of Education is recognized throughout the province for its special education programs. However, these too suffer from lack of funding.

Now it is 1985, all these programs are to be in place, but it still costs money to continue to provide programs and there is not enough money for that. There is a limit to what can be done when the province has continually decreased funding to the local school boards.

Although there are fewer students, the expectations for schools to provide many new programs has increased greatly.

The expectations come not just from the ministry, not just from our board, but from the parents. We are getting an increasing population of very well educated parents who

know exactly what it is they want for their children. They are demanding much more than ever before that school boards provide this type of individual attention for those students.

When they say, "Why not?" we have to tell them it is money. When they say, "Where does the money come from?" we have to tell them it is from the ministry and from local taxes. Trustees could probably attest to the fact that as soon as they tell taxpayers their taxes will go up to provide money for public education, the parents stop talking about it. Money is critical.

The early childhood education project is an example of the ministry's recognition of the vital importance of the education of very young children. To date, the ministry has invested more money per pupil for the education of secondary school children than for elementary school children. We question the message this is giving to our parents. Is it true that the elementary school children are less important than the secondary school children? Is it true that the elementary school student does not need to have the programs that a secondary school student has? We certainly do not agree with that.

In 1985, the difference of \$879 per pupil exists. That is a considerable amount of money. If the ministry truly believes in providing quality education for young children, that imbalance must be corrected. With full funding to separate secondary schools, we ask, "Will there be enough money to ensure that all elementary students are given the education they deserve?"

We find it unacceptable that a province that has systematically reduced its level of support for public education, that has refused to improve learning opportunities for children and that is experiencing economic difficulties, should now be able to find \$150 million a year to provide a duplicate secondary school system. If in the total package of the approximately \$3-billion budget for education in the province, \$150 million can be arrived at that quickly and easily, then we too are asking for similar figures for public elementary schools.

In London there exist two very large school boards, the London Board of Education and the London and Middlesex County Roman Catholic Separate School Board. They have many times worked co-operatively and congenially on many issues. I will give you one example.

St. Mark's Separate School and Northridge Public School in the northeast section of London have a joint playground. There was just enough room to build two schools and enough room that, for the children to play outside, they had to come

to some sort of an agreement. It has taken about four years, but the co-operation has been outstanding.

I spoke the other day with the principal, and he assured me that not only was the system worked out legally but also it was worked out by both parents' associations. Indeed, all the parents got together and constructed the playground equipment they bought. They both look after the maintenance of it, and a lot of it is volunteer work. There appears to be no animosity between the two systems, and it seems to be working very well.

It has taken four years of careful planning to avoid prejudice, to avoid the conflict between the two groups of students, the "we-they-ness." I suggest the amount of time spent on getting the funding to these separate schools has not been enough time to resolve some of these societal conflicts.

The proliferation of media attention in London, as throughout the province, and public discussion because of Mr. Davis's announcement, cannot be ignored by our students. The denominational rivalry which characterized parts of Ontario in the past are in danger of resurfacing.

I was at a safety patrol seminar last weekend where all the safety patrols in the whole city paraded through the streets of London. We had banners, slogans and a contest. Two separate schools won the big prizes for their banners in the contest. The comments around me disturbed me. It was not just students annoyed that they had not won; it was the comments of who had won that were particularly disturbing.

We as adults have the responsibility to ensure that these intolerances remain buried. However, this cannot be done when trustees and others are arguing over facilities and are hurling insults at each other in an atmosphere of mutual distrust and resentment. The divisiveness that is appearing will only worsen unless the specific concerns being raised to this committee can be dealt with adequately.

8 p.m.

It is our understanding that Mr. Davis will be here at 9:30 a.m. tomorrow to address this committee. No doubt you will be seeking points of clarification and information. The members of our association and all citizens of the province would like, and indeed demand, an answer to this question: "Mr. Davis, if you had known then what you know now, would you have done what you did in the way you did it on June 12, 1984?"

The Vice-Chairman: Thank you very much. I suspect a question similar to that just might be put tomorrow.

Ms. Burke: I hope so. We will be looking for the answer.

The Vice-Chairman: Are there questions from the committee?

Mr. Offer: I can assure you that your concerns with respect to the committee listening, hearing and giving careful consideration to the many representations we have heard prior to yours and from yours onward shall always be given consideration and careful thought.

As a preamble, I too believe in the necessity of a strong public education as a contributing factor to our societal stability. However, I would like to ask some questions with respect to your brief. First, in the introduction, the last line of the second paragraph talks about the announcement of Premier Davis having the force of law. Is that how you viewed that statement of June 12?

Ms. Burke: My impression and that among many of the people to whom I have spoken is that the Premier made the statement largely on his own, possibly with cabinet discussion. Since then we have had an election in which a lot was said but very few answers were given. We have also had the three parties in the Legislature united behind this decision.

It seems to us that when one person can make a statement that there will be full funding, and it happens, then there is the force of law behind it.

Mr. Offer: I am trying to get a sense from your experience as an educator in the schools that the statement he made, however it was made, did carry with it somewhat of the force of law and that come September 1, 1985, there would be funding and that people were relying upon that.

Ms. Burke: Absolutely. The plans for providing facilities and sharing facilities were taking place well back in the spring.

Mr. Offer: Let me move to the first paragraph, which is somewhat critical with respect to the present Minister of Education (Mr. Conway) announcing a special grant of \$34 million. I take it from your explanation that for those persons who relied on the statement as if it were carrying with it the force of law, this is a possible response to what many people believed last June.

Ms. Burke: They may have believed it, but whether they approved of it is another thing.

Mr. Offer: I understand that.

Ms. Burke: The \$34-million special grant is proof positive that despite the comments and

concerns of people throughout this province, the entire process has continued before even the judiciary has given its ruling on whether it is constitutional. It has gone through as if it were law.

Mr. Offer: I understand that. You understand that this bill will not be read for a third and final time until this committee has reported to the House and the Court of Appeal has made its ruling.

I believe the minister has been somewhat clear because, as you have indicated, so many people agreed the announcement did carry with it the force of law—no matter how it was made, it did give that impression—and it was somewhat improper to leave hanging for one year those people who did rely on that.

Ms. Burke: I suggest to you that not to provide that money, after the people were told there would be money, would be politically unwise. It strikes us in the educational field that once the money is provided, it will not be withdrawn, no matter what the decision is of this committee and no matter what the regulations are; it is going ahead in spite of the fact that we are sitting here tonight talking about it. That is the perception. We will find out how true that is.

Mr. Offer: We could debate that for a great deal of time. However, as I indicated before, everyone here—I am sure I can speak for everyone here—is listening and giving careful consideration and due weight to the many very good representations made. One cannot go any further than that.

I would like to carry on for one moment with respect to your statement on page 2, regarding the ripple effect on the elementary panel. I know it is prior to September 30, but can you give us any idea of any effect you have been able to ascertain at the elementary level?

Ms. Burke: I was trying to find that information for you, because I suspected that would be one question you would be wondering about. Since it is before September 30, when the September statistics are due, that information was not immediately available to me. The people that did have some answers were in Toronto. That did not help at all.

However, because the London Board of Education has implemented junior kindergarten programs in many parts of the city, I believe the enrolment is higher than was expected a year ago. If junior kindergarten had not been implemented, there would have been a decreased number of students in the elementary panel.

There is definitely a lower number of students in the secondary panel; I cannot tell you how many.

Mr. Offer: What you are saying is that there is a further factor that we ought to take into consideration with respect to the London enrolment; that is, the implementation of junior kindergarten there?

Ms. Burke: That is probably why it is higher. However, our experience is that when families move, they take two or three children with them; as they move to the separate system or wherever, that can have an effect on both panels.

Mr. Offer: At this point, is your enrolment at the elementary level higher or lower than it was last year?

Ms. Burke: I am only guessing at what the statistics were. I think it is higher than what was originally projected, but I believe it is lower.

Mr. Allen: I appreciate the fact you have driven into the busy city after a day of teaching. Coping with the traffic along the way makes a long day for you.

Could you expand a little further for me what you meant when you referred to a kindergarten-to-grade-13 seniority panel in your board? Did you mean secondary and elementary teachers are on a single seniority scale, even though there are different criteria for seniority?

8:10 p.m.

Ms. Burke: No. Seniority is governed by the collective agreements of each of the panels; they are negotiated separately. The provisions offered in the secondary school collective agreements are somewhat different from the elementary ones. Indeed, our board did not have a seniority list until very recently, because there were no teacher redundancies, or very few—not enough to say who will be leaving; it is usually the probationary teachers who are let go.

The secondary schools have had a seniority list for quite some time; a lot of it is based on the qualifications and the positions where the teachers can actually teach with their qualifications. We are qualified to teach all subjects, and so we are basing it on the number of years of experience.

Mr. Allen: In other words, your sense of impact is not a result of bumping down in the scale?

Ms. Burke: If it does bump, there is a possibility if secondary school teachers upgrade to become qualified to teach at the primary or junior level—let us say only at the junior level; if they are qualified to teach intermediate and senior and they teach at the junior level, that

means the teachers in the elementary school system in grades 4, 5 and 6 would have to be bumped down to the primary level.

Anyone who has been to school knows some teachers function best at different levels of teaching; some prefer primary and no other, some prefer junior and no other. If that bumping occurs, then the secondary school seniority clause, at least in London, may supersede the clause we do not have; it is just an agreement.

I recognize it is something we have to work out in our collective agreements, but the possibility of bumping does exist.

Mr. Allen: So you are threatened in that respect as well as by the potential takeup of a greater number of Roman Catholic children into the elementary panel of the separate system?

Ms. Burke: Yes.

Mr. Allen: Is your sense of the proportion of the Roman Catholic children who are taken already by the separate elementary system such that there will be heavy impact, a heavy takeup, or is there not much room left to absorb? To put it the other way around, do you have very many Roman Catholic kids at the elementary level in your elementary schools?

Ms. Burke: It is interesting you ask that, because I do not have those statistics. I question, when we are not allowed to ask the religious background of students, how we would get that.

I do know the Roman Catholic separate school system in London had to take over an elementary school and make it into a second high school within the city of London. It is called John Paul II high school, but it is in an elementary facility. I will agree that is only a temporary situation, but from my understanding of the secondary school system, it is probably more effective than we are.

As the funding occurs for grades 11, 12 and 13, I believe we will get parents of elementary students saying, "If my child can go right through the separate school system and does not have to stop at grade 10, then I will probably change." That is speculation—we will know in 20 years, or perhaps longer, what happened—but I suspect it could happen.

Mr. Allen: You should perhaps be aware that subsection 136(1) is not written with exclusive reference to secondary teachers. Our understanding is that it can be interpreted to provide protection for elementary teachers, but to be sure we can find a way of concretely identifying the impact, we would want to write that in.

Can you tell me something about the state of affirmative action activity in your board? Has

your board an affirmative action co-ordinator in response to the ministry's initiatives a year ago?

Ms. Burke: No.

Mr. Allen: It does not? It would be one of the few that have not taken that up.

Ms. Burke: That is right.

Mr. Allen: Is nothing happening?

Ms. Burke: We have had a considerable number of presentations by the London Women Teachers' Association for affirmative action programs. At present, nine of the 56 principals in the elementary system are women, and six of the 44 vice-principals are women. It makes quite a difference, and we have been working on this with our board. The board has adopted an equal opportunity clause, but that is still not creating the same effect an affirmative action program would. There is considerable resistance to an affirmative action program per se.

Mr. Allen: One of the approaches to this question that we have scouted is protecting the proportion of women at present in the existing jurisdictions by preventing an undue number of women from transferring out of the system to the separate system in the course of the designation of positions and voluntary transfers. We are not exactly sure how to do that at this time. Do you have a mechanism in mind that would accomplish that objective for us?

Ms. Burke: Not specifically, other than an affirmative action program which addresses the imbalance of male and female administrators. That program could include something that would ultimately deal with the transfer of women teachers, because the whole focus of affirmative action is placing women in positions of responsibility. If boards have programs, that could justifiably be part of them. If boards do not have programs, I do not know.

Mr. Allen: Among your teaching personnel who have five years or less seniority, is there an undue proportion of women?

Ms. Burke: In the elementary panel there are a considerable number because many of the women teach younger students. That is where the hiring is largely taking place. Also, in this current year, a number of French teachers were hired to implement French at the grade 4 to grade 6 levels. I would say yes, but I am sorry, I do not have that information. I could get it for you.

The Vice-Chairman: I have two other people on the list, so could we move along?

Mr. Allen: We have discovered a significant number of non-Catholics among supervisory

personnel in the separate system from place to place. In your own London separate board, I believe there are four or five who were hired for those positions purely because of their qualifications.

Ms. Burke: That is encouraging. It is going to depend on the part of the province, the personalities involved and the makeup of the different boards involved as to how successfully that is done.

Mr. Shymko: What you see is quite conceivable. It may not be probable, although I do share your concern about the impact on the elementary level of the education system. Much of this is based on assumptions.

Have you done any research on the six per cent or so of the non-Catholic staff within the Metropolitan Toronto Separate School Board, who have been employed for some time, to discover whether they experienced any discrimination in advancement and promotion?

Ms. Burke: I have not done any personally. It may have been done, but living in London, I have more to do with the London area right now than the Metro school system.

As far as discrimination goes, that is one of those concepts that is very difficult to get a handle on and to measure accurately. Discrimination can occur everywhere, for example, someone might say, "Why is that person wanting to be appointed when we know he or she did something in the past that we did not agree with?" or "Perhaps he would be better off just being a teacher rather than a vice-principal."

Such statements are discriminatory because they influence the decision of the other members of the committee. Systemic discrimination, both conscious and unconscious, is very difficult to monitor at all. Those of us who have experienced it understand very well what it means.

8:20 p.m.

Mr. Shymko: I agree with you that those statements certainly would be cause for concern. In a board such as the Kitchener-Waterloo board, which has a very high proportion of non-Catholic staff, it might be wise to look at the statistics and at what has happened there to reinforce your argument, which may be valid. Prior to making such assumptions, I simply thought of asking you whether you had done any research.

Ms. Burke: Those assumptions are based on the comments we have heard since the funding was extended. It seems to us that in the forms in which they were made, they were very frank

statements of the beliefs of both Catholics and non-Catholics that this kind of thing could occur.

Mr. Shymko: Another question I have concerns the diversity of cultural, linguistic, racial and other backgrounds within the public system. Would you not admit that diversity is not the sole preserve of the public school?

We have St. Josephs College School close to Queen's Park. Anyone who walks along Wellesley Avenue will see a phenomenal mixture of racial, cultural, linguistic and even religious diversity. Would you not say that the same environment may also exist within the separate school boards?

Ms. Burke: Yes. I am not suggesting that is the sole reason public schools are founded and are successful. History has a large bearing on how the separate schools have evolved, how the public school system has evolved and how the funding of each has evolved. It is more than I have included here. I do not suggest for a minute that there are not ethnic diversities in the separate schools, but we also have them in the public schools.

Mr. Shymko: My other question relates to your concerns on funding. The announcement last week was that \$700 would be provided to the public boards by the ministry for every student transferred to the separate school board. Do you not see this as addressing that concern?

Ms. Burke: It is a small step.

Mr. Shymko: A small step in the right direction?

Ms. Burke: Possibly, but as you can tell from my brief, I am still wondering if the students who are staying behind in the public system are getting adequate funding. We do not believe they are.

Mr. Shymko: That is the question of the disparity between the level of funding per student at the secondary versus elementary level.

Ms. Burke: Both the disparity and the amount.

Mr. Shymko: Is it not related to the cost of educating a student at the secondary level? When you think of expensive laboratory equipment, chemistry labs, etc., is that not related to the cost? I imagine it would be.

Ms. Burke: Some of the equipment we have to have in the elementary schools is also very costly. In London, we are looking at items such as FM trainers for students who are having auditory processing problems. They cost a lot of money and the board does not just buy them

holus-bolus. They have to budget for them carefully. In the meantime, students who need them are not getting them exactly when they are identified as needing them. There can be months of waiting for that.

The disparity comes partly because of the expense of equipment, but once it is bought, there should just be a maintenance factor there. Secondary school students are probably much more capable of not breaking things than elementary school students and they are probably able to take better care of them.

We have that factor, but I still believe strongly it does not justify an \$879 difference. Not any more. The qualifications of teachers are similar. The experience of teachers is similar. The reasons given for the difference no longer hold water in 1985.

Mr. Shymko: You may be right.

My last question is related to your concern as to where one would find \$150 million. We have seen figures in the media even higher than \$150 million. I wonder whether, with the present circumstances of a new government, the divesting of Ontario shares of Suncor could not be one source of expectation that you would cherish.

Ms. Burke: Would we also get \$150 million of funding in the elementary public system?

Mr. Shymko: The previous government purchased Suncor shares to the tune of \$500 million. That is one source I could see being provided to my Liberal colleagues on the committee. It may be something they want to discuss in caucus.

The Vice-Chairman: The only thing is that once they are sold, they only produce it for a couple of years.

Mr. Henderson: My thanks for your brief which I enjoyed. I am a graduate of Western University, so I know London a little.

I have a global question, or a comment and question, to do with your conclusion which captures the essence of what you wanted to put across to us. You spoke of the resurfacing of denominational rivalries and intolerances that should remain buried and the hurling of insults at each other in an atmosphere of mutual distrust and resentment. It sounds like question period, with the exception that after question period we are all friends. Sometimes in other settings it does not necessarily work that way.

Ms. Burke: I will tell my students that the next time I bring them to the Legislature. I will assure them that you really do like each other.

Mr. Henderson: As a physician and a practising psychiatrist, I may have a different kind of reaction than some people would have when you speak of things remaining buried.

To be quite serious about that point, I have the feeling that there has been a certain kind of equilibrium between the public and the separate boards which has been unequal. At least in the perception of many people, the public board has been favoured. As one moves towards equalizing, of course, there would be a tendency to unbury the resentments that have been buried. Depending on how you look at it, that may be a disadvantage or else an opportunity.

It seems to me the kind of heat that has been generated by this issue—and, as you point out, I do not expect Mr. Davis anticipated quite the vigour and intensity of it—has to do with disturbing a balance that has been achieved or unsettling a working relationship, albeit unequal, that had come to exist.

Once there is a greater equality, if that is the direction in which we are to proceed, I have difficulty understanding why there cannot be a new relationship and accord and balance achieved after some working through of the hostilities and intolerances to which you refer.

Ultimately, we would have a situation where two relatively equal boards would co-operate, collaborate and eventually share classes or even share schools in some small communities where that might be desirable. Eventually, we would move towards a synthesis or coming together that would be at least a step in the direction of a unified system that is not a formal unified system. I wonder if that is not desirable, and if it would not be the better approach to the buried resentments you refer to.

It seems to me a lot has been made of politicians being opportunistic on this issue. Perhaps, to some extent, we are being; however, if so, we are being so, I hope, in response to a need in our constituencies for a fairer system. Unless somebody can convince us otherwise, we may want to move in that direction and look for a new kind of co-operation and congeniality with greater equalization and some working through of the hostilities.

With that preamble I will ask my question. Do you have any reaction to my comments? How do they fit in with your thinking on this kind of system?

Ms. Burke: I believe the resentments that are buried are much older than 1985. They are historical differences that have occurred in Ontario since the early 1800s, since we all got

here. The attempt to address those problems was part of the historical beginning of the separate and elementary public systems.

8:30 p.m.

I must ask what the price would be of this raising of the consciousness and letting the hostilities out. At what price are we making that kind of move? We are in danger of entrenching more anti-Protestant, anti-Catholic divisions in our society. We truly believed, because of the ethnic population of different religious origins, that people were starting to be more tolerant.

I believe these divisions are resurfacing and, unfortunately, it is turning out right now to be Catholic and non-Catholic. At what price are we letting our young children know that these divisions did occur at one time and are we willing to have them surface again?

If it took five years, or at least more than one year, to implement the special education funding, then there would be a recognition that processes that have a profound effect on elite school systems do take time. I think a situation like this, where the entire social factor of our province is under some upheaval, takes more than just one year of relative lack of debate and then sudden funding.

I suggest that part of the difficulty with this is the speed at which it has occurred. I will not argue in depth at this point that there should or should not be funding ultimately. It is the way it is being done and the effects of it that are most devastating. That is why we are here.

Mr. Henderson: I know we are pressed for time, Mr. Chairman, so I will just make a 10-second comment. I think there is a price. This committee, and the cost of it, is one of the prices. But there has been tremendous progress in the last few decades in rapprochement among Protestants, Catholics and other religious groups.

If I think of the situation now as compared to when I was in public school, for example, it is a whole new world. This is a milestone along the route towards some kind of rapprochement in my view.

The Vice-Chairman: I would not want you to go back to London with the impression that the majority of the committee is looking at this bill as a step towards the unified school board, but I do think the comments you and other groups that have come before the committee have made will result in changes to the bill. We appreciate your presentation here this evening.

Ms. Burke: Thank you very much. We appreciate being able to be here.

The Vice-Chairman: The next presentation is the Lincoln County Women Teachers' Association. Ms. Boyle.

LINCOLN COUNTY WOMEN TEACHERS' ASSOCIATION

Ms. Boyle: My name is Penny Boyle.

The Vice-Chairman: Welcome to the committee. Your colleague is Ms. Taylor-Gillings?

Ms. Boyle: Yes. Before we begin, Mr. Chairman and committee members, we would like to say it is a pleasure to be here this evening to raise our concerns on behalf of our association. Looking around, we are a little disappointed that we see only one woman representative on this committee because we are voicing a couple of concerns, one of which is women.

The Vice-Chairman: I hate to disappoint you, but there are no women on the committee.

Ms. Boyle: That is even more unfortunate, but we will begin.

I would like to introduce Bonnie Taylor-Gillings. Bonnie is region 2 director with the Federation of Women Teachers' Associations of Ontario. She is also a nongovernor with the Ontario Teachers' Federation. I am Penny Boyle, president of the Lincoln County Women Teachers' Association. Both of us are elementary teachers in the public system in Lincoln. We are here on behalf of our association.

Our purpose this evening is to present a brief and also to go on record as an organization that is opposed to the Education Act which, for political reasons, intends to extend full funding to the separate school system. We hope to take you through this brief and we will entertain questions when we are finished. I hope we can answer them.

The intent of this bill, we believe, will alter the fate of the public school system. It is our intent this evening to voice our concerns and to offer to this committee our recommendations. We have followed your recent comments in the *Globe and Mail* and other newspaper articles, where you have pointed out your boredom with the task you have ahead of you, and the similar comments and similar reactions to Bill 30.

We feel that although our brief may present many of the same recommendations that our colleagues in the public system have presented, it is our sincere hope that this committee will internalize the fact that if the public school supporters are voicing similar concerns, there must be one unified group out there whose aims and objectives for the children and the education are one and the same.

We are here to represent 556 Lincoln women teachers. Like other boards across this province, we have been fighting the effects of declining enrolment. It has had effects on our elementary programs, teaching jobs, class sizes, and it has limited our access to leadership opportunities within our own board, as it has for other teachers across the province who hope to become leaders in education.

Today, when we are finally coming to grips with the problems of declining enrolment, the government proposes to set before us yet another obstacle with its intent to implement Bill 30.

The Vice-Chairman: Can I interrupt for just one second? The people at the back of the room are having difficulty hearing you. Could you speak a little more directly into the microphone and a little louder, because they would like to hear you too?

Ms. Boyle: All right. We are trying to walk you through the brief as carefully and as closely as we can.

As part of the educational community, the women teachers in Lincoln county do not intend to sit passively by and let this new legislation erode their programs and their future, nor will they allow this government to mortgage the future of the children in their schools. What we intend to do is lobby as long as we have to until the politicians realize that to implement this bill without making amendments to it will definitely have an enormous impact, not only on the secondary public system, but it will also have a ripple effect on the elementary public system as well.

Although our concerns are many, we have chosen to elaborate on two significant issues. These two affect our role as elementary teachers, as do others. This bill will have an enormous effect on programs at the elementary level and women at the elementary panel, and I will ask Bonnie to go through that part with you.

Ms. Taylor-Gillings: Citizens of Ontario and politicians alike have always been able to boast of the fact that our public education system is among the best in the world. The Ministry of Education has maintained a dynamic attitude toward the importance of education to the future of our province and country, continually evaluating and reshaping programs to meet the needs of our changing society.

Yet, our elected government has not shared this commitment. That is demonstrated by the percentage decline of grant ceilings from the province to local boards. That percentage has declined from 60 per cent to 47 per cent. Public

education programs will be further diluted with the extension of funding to separate boards rather than directing moneys to the most neglected sector of our system—early childhood education.

The historical disparity between the elementary and secondary per-pupil grant ceiling has plagued early childhood education for many years. In 1985, this gap was \$879. It was once felt necessary to fund secondary schools to a higher degree because of textbooks, equipment and technological requirements of high school programs. The days of expanding high school enrolments are long gone, yet the grant disparity continues to widen with percentage increases each year. It is now justified with the argument that declining enrolment creates the need for more funding to protect quality programs and beneficial class sizes. Should the extension of funding to separate schools cause a further decline in public secondary school numbers, elementary grants will probably be eroded to protect secondary programs.

8:40 p.m.

Recent research, described in Ontario Education, October 1984, indicates that for every one dollar spent on quality programs for young children, society eventually saves \$7. The whole issue of finance has been a growing problem in the last five years. While the ministry has been developing dynamic and new but extremely costly policies like the special Education Act and Ontario Schools, Intermediate and Senior Divisions curriculum guidelines, the government has restricted the growth of the education pie in the last three years to six and five per cent. At the same time, consumer cost to boards has risen far in excess of these percentages.

Elementary education is always the last to get what is left over when all other sectors have taken their share. Now the extension of funding to separate schools will further reduce the share available to elementary education.

The findings and recommendations of the early primary education project, now into its second year of intense study, are before the Minister of Education and we hope they will be released soon. Among the many recommendations is the request for increased funding to lower the unwieldy class size figures of the primary division to a level at which children will finally receive the attention and guidance needed in these critical years of development and learning.

If the recommended funding of \$150 million was put into improving the quality of early childhood education in Ontario rather than spreading it to the separate school education, it

can now be shown that money will be saved in special education intervention later in the child's life. This is part of the \$1 and \$7 referred to earlier. You can also add school dropouts, delinquency and repeating grades as part of the frustration experienced by many students. Let us make public education of the best quality before we look at funding separate education any further.

To a certain extent, Bill 30 has attempted to protect programs and facilities at the secondary school level from decline and closure due to the extension of funding. However, because of the natural decline in enrolment over the last 10 years, many elementary schools are in a similarly precarious position because of this bill, without the protection the bill offers.

Lincoln county experienced a drop in enrolment of 790 pupils. When compared to projections, this is 130 fewer at the secondary level and 83 fewer at the elementary level than expected. We suspect many of the missing elementary students have enrolled in the separate system now they have been promised a continuous education from junior kindergarten to grade 13. At the moment, 10 elementary schools out of 58 in our system are made up of totally double-graded classes. A drop of only a few students due to separate school funding could create triple grading and closure. This would then require the busing of four- and five-year-olds over long distances outside of their school community, something irate parents will not stand for long.

We feel elementary schools must be protected under the act to the same degree as secondary schools to maintain quality programs for the critical learning years. The amount of \$150 million a year would provide elementary schools, both public and separate, with almost 4,000 more teachers.

We believe Bill 30 will have an effect on women in education. The bill, as it reads in its present state, builds in some protection for secondary teachers. It does not, however, address the concerns young women elementary teachers may have about their future.

Students transferring from the public system to the separate system, for whatever reason, will result in fewer jobs. In Lincoln, some children who would normally have enrolled in the public system have moved to the separate system perhaps because their brothers or sisters have either transferred or remained in the separate secondary system. Loss in either panel is a threat to job security.

One of the responsibilities of the Ontario Women's Directorate is the analysis of all legislation to ascertain whether women will be disproportionately affected. A request for this analysis was made in November of 1984. The outcome of that inquiry, if it did exist, remains a mystery to the women teachers. Are we to assume the Ontario Women's Directorate was not consulted? Are we to assume the directorate pointed out the problem and was ignored? Are we to assume the new government has scrapped its commitment to affirmative action?

Boards across this province have been encouraged to develop an action plan that will help eliminate discrimination against women. Some boards set targets that would see more women in leadership roles. Incentive funding came from the government as an endorsement of affirmative action.

Perhaps for political reasons, but hopefully for legitimate ones, party leaders have recognized the importance of women in society. They agreed that women were ready, well-qualified and could match their leadership ability with their counterparts. However, at the present rate, it will take another 80 years before women have assumed half the positions of added responsibility. While statistics indicate that more than 50 per cent of the work force is women—women who vote and who are consumers—it is not surprising that a push to improve the status of women was forthcoming.

Bill 30 contains no evidence of recognition of the special impact it will have on women. If this bill is implemented with this tone of discrimination, the province will be at risk of losing valuable human resources. Leadership in this province will be set back more than a decade.

Without providing protection for women teachers who are non-Catholic, divorced or separated, women once again fear the unfair, unjust policies for promotion. Women should have opportunities for leadership today. Children should have the same opportunity tomorrow. Many of our occasional teaching staff, and those with less seniority, are women. Therefore, the burden of job loss will be borne disproportionately by women. Teachers losing their jobs or having to transfer, will deprive young children in the public elementary system. They will lose the vital balance of healthy attitudes and values that role models could give to them.

Exhaustive studies have shown that the negative effects of sex role stereotyping are indisputable. We urge this committee to look closely at the concerns that have not been addressed in this new

legislation. We also urge you to carefully analyse the full impact of this bill, and work at balancing it in line with the Charter of Rights. We come before you as concerned teachers, for the betterment of our children now and in the future.

Ms. Boyle: As you can see, lack of funds, triple-grading, busing little children, loss of jobs, job security, and loss of leadership roles are definitely issues that concern elementary teachers.

In conclusion, may I add that our fondest wish would be to alter the course of Bill 30. However, like many of our other colleagues we feel it is a fait accompli. Perhaps the brief we have presented—along with those that I am sure you have listened to over and over again, and we share the same concerns—will have enough impact to suggest to this committee that further study needs to take place before you think about implementation.

The tasks of a teacher across this province have become more demanding over the past five years. Pressure comes from everywhere; it comes from the government, it comes from the ministry, it comes from the public. Yet, the teachers in our system have still been able to maintain an attitude of quality for their students in the classroom, and the programs they teach.

In order to continue to maintain this excellence and provide this province with the leaders that it needs for tomorrow, teachers will need not only the necessary tools but also the proper financing to do the job. We ask this committee whether education is really this government's priority. If it is not, then maybe today's teachers are really losing tomorrow's battle.

We urge this committee to not only listen to our concerns, but we also ask you to examine, explore and consider the recommendations. Then, perhaps, that the government will consider and redesign this proposal, in the light of these reservations and suggestions and help to prevent the growth of a dual system, an outcome which we know will be a tragedy to education in Ontario.

Without amendments to this bill, there will be divisions among children, competition will exist to attract buyers, programs will be cut, and young women will lose jobs and the opportunity for leadership. The impact of this bill will, in its present form, give this province an education with casualties.

We wish to recommend that this Bill 30 be re-evaluated, and that its re-examination by government investigate the full impact on elementary programs, elementary students and

elementary teachers. We also ask that the level of financial support for public education be a priority in Ontario, and that it increase, rather than decrease.

8:50 p.m.

We also recommend that this legislation be amended to prevent, and to protect, communities from being divided on the basis of religion, and that the public elementary system not lose teachers as a result of this legislation.

We also ask that the investigation of the impact of this legislation not be restricted to the period of time which was suggested, 10 years, but that evaluation be a continuance and that this be built into its amendments.

Although these are our recommendations, there are many more. We feel these are very crucial to the elementary system, the elementary public teachers.

In closing, may we again say thank you, Mr. Chairman, and committee and leave you with this closing thought: "If you are planning for a year, sow rice; if you are planning for a decade, plant a tree; but if you are planning for a lifetime, then educate a person."

The Vice-Chairman: Thank you very much. Let me just clear up one thing. At the beginning of your brief you refer to the boredom that the committee—

Ms. Boyle: That was a quote out of the newspaper—

The Vice-Chairman: I am not sure who said that but I think most of us on this committee—while it has sat long hours at times and we have travelled across the province—

Ms. Boyle: Yes, I realize that.

The Vice-Chairman: —have found the committee to be most interesting. That is not to say we are always wide awake but sometimes we do go for a long time. I have not heard anyone complain about the boredom of this committee. In fact, most of the time it has been rather lively.

Ms. Boyle: We hoped to address the fact that you have been hearing similar recommendations and there is something behind the fact that you are hearing similar recommendations; we are unified and we do have something to say. That is why we are here.

The Vice-Chairman: We think everybody who has come before the committee has had something to say and I think we have tried to listen to them quite thoroughly.

Ms. Boyle: I am sure you do.

The Vice-Chairman: Second, I hope that if you ever come before a legislative committee again, that 50 cent of the committee will be women and I hope you will consider, along with other women who have leadership roles in our community, as one of your jobs to make sure that all three political parties have more women candidates so we can get more elected.

Ms. Boyle: We are doing our job.

The Vice-Chairman: Good. Are there questions from the committee?

Mr. Allen: Thank you, Mr. Chairman. I want to thank the Lincoln County Women Teachers' Association for coming over this evening and giving us their views.

I would like to say that this bill is not going to pass without amendments. It is quite apparent at this point in time that there will be a number of significant amendments to it. Some of them will address the concerns that you are expressing tonight. Whether the end result will be entirely to your satisfaction, it will perhaps be closer to your interests than—

Ms. Boyle: We have been reading the news and following Bill 30 as it is going along. I guess I am changing back into a question again and looking at it with optimism. Is there anything that has been suggested that you can say is actually going to be a recommendation from this committee or amendment to the bill?

Mr. Allen: In point of fact, that would be very incautious of me—

Ms. Boyle: I do not want to put you on the spot.

Mr. Allen: —inasmuch as there are three caucuses involved, and not all of them have sat down and worked out the final wording of all their amendments. It is simply a fact of life.

I would like to be able to tell you but I just cannot. I think you gathered from reading the reports and the kind of questions, if you have been following the record of this committee's hearings, that it is quite clear we have been asking a lot of questions around things like single-school communities and protection of public schools in those areas; around the question of access to the separate schools by non-Catholic students, and non-Catholic hiring into the separate school system, and what have you. There is a whole host of questions to which there is going to be some response in the bill. I do not think there is any question about that.

Can I ask you the question I asked the previous presenters? That is whether your board has an affirmative action program and whether your

board has taken up the ministry's proposal with respect to appointing a co-ordinator to promote affirmative action and promote women into supervisory positions in the system.

Ms. Boyle: Bonnie will answer.

Ms. Taylor-Gillings: Our board established an affirmative action committee just last June. They have opted not to hire a co-ordinator at this time. What they have opted to do is to have a consultant come in on a daily basis to help the committee strike a policy and a procedure for Lincoln county. The recommendations are coming back to the board hopefully in December of this year.

Mr. Allen: So you do have something really active under way.

Ms. Taylor-Gillings: It is slowly getting off the ground.

Mr. Allen: There is a fairly common assumption in many of the presentations that are made before us that if the money being spent on the separate school extension was not being spent on that, it would be devoted to some educational purpose in some other panel of education. Do you think it is fair to make that assumption, when the ground for a lot of criticism of this action is that there are so many other ways in which governments have a lot of pressure on them to spend money?

Ms. Taylor-Gillings: Our main concern as a federation is that for the last 15 years we have been trying to encourage the government to increase the grants to elementary schools, and we have been told there is no money. Suddenly there is \$150 million that can be put into this priority. We would like to know why there was not \$150 million for the last 15 years when we were asking for it.

Mr. Allen: That is a very good question and I urge you to keep on pursuing it.

Ms. Taylor-Gillings: We have not yet had an answer and we are still asking the question. That is one of the main concerns we have.

Mr. Allen: You might look at how much this province spends as a proportion of the gross provincial product each year compared to other provinces. You will find it significantly lower.

You might also look at how much the province has spent in the last decade per capita for student expenditure on education as compared to the national average. Again, you will find it is lower and dropping. That suggests to me there are resources and priorities that can change. I suggest you keep on asking the question and keep pushing it.

Ms. Boyle: Our concern is that it is continually dropping. The emphasis is on policies and things that are coming up in the ministry and they are high priorities. If you look at OSIS and at special education, they have radically changed over the past few years.

Yet the funds are not there to accommodate the kind of needs that are necessary in the classroom. It is coming from our own teachers. We go to the board, the board goes to the ministry looking for funds and the amount is constantly dropping. We are looking for an increase but there has not been an amount of money there to subsidize the kinds of programs that are necessary.

Mr. Allen: I am with you on that point 150 per cent. On page 6, you say the transfer of students from the public system to the separate system for whatever reasons will result in fewer jobs. Can you explain that to me? I thought the bill was constructed with the intent that there would be no job losses.

Ms. Boyle: We will probably both work on this one. The bill right now addresses itself to the secondary and it does add in a little bit of protection for the secondary teachers as far as job security goes, but it has not addressed the needs of elementary teachers.

If you look at a family that comes from a separate school and their child has been in the public school system and they plan to take their child out of that system, you are going to lose children at the public elementary level. When you do that and the numbers drop, you have to cut staff. That has not been built into the bill at all.

The secondary, yes. I know there have been some recommendations. I know that has been coming from the committee, and that you will take a look at how it will affect elementary, but until the section is there, it is happening. We have lost students and along with those lost students, we are going to lose jobs.

Mr. Allen: That will vary greatly from place to place, depending upon the percentage of the Catholic population taken up in the separate system already at the elementary level. In some places obviously there will be an impact and we need to do something about that.

Ms. Boyle: As we mentioned, we are losing 83 elementary students who are going over to the separate school system. That is one job. In fact, it is more than a job.

Mr. Allen: Will you know by the end of this month whether those 83 have gone over to the separate system?

Ms. Boyle: Yes, we will.

Mr. Allen: Will you confirm that for us?

Ms. Boyle: Yes.

Mr. Offer: Is it your belief that the act with respect to teacher protection only addresses itself to the secondary school teacher as opposed to the elementary?

Ms. Boyle: To our understanding there is built-in protection for secondary. It really does not—

9 p.m.

Mr. Offer: That is a misconception that a lot of groups are having, that the protection talks about teachers. It is widely assumed that it is only applicable to secondary teachers, but the act is not restrictive in that.

Ms. Boyle: It does not clearly define.

Mr. Offer: No, it may need some sharpening up, but I think it has been the intent of everyone here for many weeks and months that protection is afforded to the teacher declared redundant due to the impact of implementation of full funding.

Ms. Boyle: Does that not tell you something? If you know that and the rest of the people do not know that, there is a communications gap.

Mr. Offer: There is no question about that particular point. I just wanted to bring it to your attention. The group before also had the same feeling. It is not as clear as it might have been in subsection 136l(1), but it does not restrict itself to the secondary school teacher.

Ms. Boyle: Perhaps that is something that, when the bill is redesigned as suggested, could be clearly defined so we do understand it as such.

The Vice-Chairman: Are there any other questions from the committee? Before you get going, Mr. Miller, I want to indicate that as acting chairman in the past, I have violated the rule of the chairman on smoking. The chairman has asked and we are going to enforce a no-smoking rule. We did it today and tonight for everyone.

Ms. Boyle: We do that at our executive meetings too.

Mr. G. I. Miller: I apologize. I do not want to offend anyone.

It is interesting, as we are discussing the bill, that with declining enrolment, which has been taking place for several years now, it does not appear in the presentations and the research we have been able to do that there has been any loss of jobs. They have really been moving from this system over to that system. Now \$134 million more has been put into the system.

Is it not simple logic that, if you have fewer and fewer students, the overhead costs should go down, as they do in the business world? That might give better attention to the students, with better programs. Once the funding is in place with a new government, there are some indications that a little more money will be put into the system.

We all have to be conscious that we are talking about taxpayers' money. You and I have to pay for it and we have to get the most efficient use out of the money. The end goal is the benefit to the students. Do you not believe, if we run more efficient programs, it may be better for us all when it is sorted out and put into place?

Ms. Taylor-Gillings: First, I would not want to compare education to business because we are dealing with children rather than products. I do not consider children to be products that are consumable.

Second, you will find that most of the expenses of boards of education are fixed costs. Whether they have 10 students or 25 students or whatever in the classroom, they still have to have a teacher, a classroom and a building and they still have to keep up the building, etc.

The fluctuation or flexibility in funds they have is very little. A large percentage of their budget is fixed cost, so they do not have a great amount of flexibility to play around with the way you might have with a business. You cannot be more economical simply because you have fewer students.

Mr. G. I. Miller: Being a former member of a school board, I think 80 per cent of the fixed cost in any educational system is wages.

Ms. Taylor-Gillings: Approximately.

Mr. G. I. Miller: So you have 20 per cent to work with in the system. It does not give you a big leeway. It may not be a business, but there are a lot of taxpayers who are hurting, particularly in our area, which is a rural farming community. I am talking about tobacco farmers who have done quite well. They are up against a pretty tight economy. A lot of farmers have had to walk away from their farms.

In my experience of rural life and as parliamentary assistant to the Minister of Agriculture and Food, we do have to take a business approach to it. We also have to be concerned about the impact on the students who come off at the end of the line. There may be competition in the system and we do have two systems. We have to admit that. Maybe co-operation is the name of the game.

Ms. Taylor-Gillings: I would like to reiterate that study and research indicate that, if you invest the dollars in early education, you save later on. As teachers, we know that is true. If you can identify learning disabilities early in a child's life, you can probably save all kinds of intervention techniques later on.

Mr. G. I. Miller: I would be the first to agree with those comments. You are doing an excellent job, but the overall budget has to be a concern. Can the taxpayers afford it? That is where the co-operation has to come in, utilizing our existing system. This bill is trying to implement that.

The Vice-Chairman: Let me ask a question that does not directly deal with Bill 30 but deals with positions of responsibility.

Ms. Taylor-Gillings: I have statistics for you, if you would like them.

The Vice-Chairman: I know a lot of the statistics. We have heard many of them. Do you not think that one of the ways women can get more positions of responsibility—and one of the problems is that not many such positions are opening up, as they did before when the system was growing—is through school boards and federations starting to look at term appointments?

Ms. Taylor-Gillings: I would have to disagree with that. A lot of work goes into getting yourself prepared for a position of responsibility. If you know you can only have that position for two, three or possibly five years and then are going to go back to what you were before, you might lose the incentive to even bother to do that.

The Vice-Chairman: Universities and colleges do it. It might not be applicable to every position of responsibility. I have not made up my mind. I know the debate on term appointments at the elementary and secondary levels of education is not a new debate; it was debated when I was on a school board.

It seems to me to be something that federations, boards and provincial governments should look at a little more closely, in some areas anyway, to see whether it would assist in making the positions of responsibility more reflective of the system and society and also to make sure that some of our best teachers who end up in positions of responsibility get back into the classrooms so their skills continue to be used. I think it could generate enthusiasm within the system.

Ms. Boyle: Could I ask the committee the question we raised? Imagine that you are seeking a leadership position and you happen to be one of

the people who are transferred over to the separate school system. You have gone through all the leadership qualifications, but with the discrimination that seems to be built into this bill the way it reads, what do you see as the future of women in leadership?

The Vice-Chairman: There are a couple of things I think the committee is looking at. One is the possibility of designating positions and allowing for volunteers, so simple seniority will not necessarily be the basis for transferring to the separate school system.

Second, the bill clearly states that the separate school system will not be able to discriminate against designated teachers, so a non-Catholic teacher who is a designated teacher and goes to the separate school system will be eligible for a position of responsibility. Discrimination is prohibited under the legislation.

During clause-by-clause reading, I am sure a debate on the whole area of discrimination and whether the protection should be extended totally will take place. It is possible that will be opened up even more for more protection.

Ms. Taylor-Gillings: How can you possibly prove that there is discrimination?

The Vice-Chairman: I do not want to get into a debate.

9:10 p.m.

Ms. Taylor-Gillings: You can say that all you want, but how are you going to monitor it? They can always come up with another reason why a person does not get the position. That is evident in discrimination as it occurs right now.

The Vice-Chairman: Mr. Allen wants to respond to this question. It is difficult to get into a question and answer period, but Mr. Allen will try to answer this question.

Mr. Allen: It is often assumed that, for some reason, women will not advance appropriately in the separate school system. In our travels we have discovered there are some separate systems in which the record of women in positions of added responsibility is more impressive than it is in the corresponding public board.

We have also heard from principals, boards and separate trustees about appointments to superintendency positions, consultancy positions and so on, where the overwhelmingly qualified candidate was a woman. There have been instances of that.

In Ottawa, we ran into a very vivacious woman principal in one of the Catholic schools, who had recently done a study on women in leadership in the Catholic system. We are going

to have that sent to us, and you might be interested in having a look at it, to see how the system's record does stand up.

I would not assume that the chances for advancement for women in the separate system are worse than they would be once the transfer takes place. However, as you say, it is a very difficult issue to monitor, because there are so many nuances and decisions that go into those appointments.

Ms. Boyle: In closing, if I may, we do have two concerns, one of which is women and the other is programs.

We would like to go back to our association feeling a little bit optimistic about the public elementary system and the funds, and knowing programs are not going to be affected by this new legislation and teachers are not going to have to be out of pocket constantly. We have been doing that over the past five years, because we go and they say there is no money. We want to continue the type of programs that we do run. What assurances can we go back to our association with?

The Vice-Chairman: I do not think any member of this committee can give you assurances on finances. All we can say, as committee members, is that there will be a report in addition to amendments to the legislation and reporting of the bill. We are looking at a supplementary report that will deal with spinoff issues that come out of Bill 30, as a result of a motion Mr. Allen has tabled with the committee. A committee is not allowed to spend money.

Ms. Boyle: We do see statistics in different newspapers.

The Vice-Chairman: We will all know better what the finances of the government are, and what the priorities of the government are, this fall when the Treasurer (Mr. Nixon) tables his budget. You will know the same day we know. That assurance I do not think we can give you. We can give you the assurance we are going to work hard on this bill, to try to make it as good as possible, and as easy to implement as possible, so the students across this province, Catholic and non-Catholic, will benefit. Thank you for coming before the committee.

Ms. Boyle: We thank you for this opportunity.

The Vice-Chairman: You should both run for the Legislature. You would be great in question period. The final presentation this evening is from Marc Llanos.

Before you start, I have read the first bit of your brief and I want to apologize and sympa-

thize with your concern that we do not have simultaneous translation here in the committee. It was an issue this afternoon with a group as well. The Legislature is not totally bilingual. We hope, one of these days, we will see simultaneous translation available regularly, not only in the Legislative Assembly itself, where it is not available yet, but also in committees. I apologize and sympathize and I recognize your concern.

MARC LLANOS

Mr. Llanos: Good evening, ladies and gentlemen. Mr. Chairman, I realize my first paragraph had a very mild rebuke. I expressed disappointment. I did not attack.

The Vice-Chairman: But it was a legitimate concern.

Mr. Llanos: I realize this, and we are very grateful for the progress that has been made in French in this province over the years. I would also like to offer my sympathy to you all for having to stay so long. I express my special sympathies to Mr. Miller, who had to give up his pipe. I had a smoking brother, and I realize how much he missed it when he had to do such things.

To be more brief, I will also try to omit certain parts of the brief, if you promise you will read them afterwards. I will go to the bottom of page 1, where I explain the scope of my brief.

I will not address myself to the implications of the bill with respect to the rural and small-town regions of the province. In the first place, I have always lived in a large urban area and deem myself ill-equipped to offer advice with respect to the other regions. In the second place, the people of those areas are highly qualified to present their own point of view and have no need of my inappropriate remarks. Therefore, I am speaking from a big-town point of view, basically Toronto, although I have been in places such as Ottawa and so on.

I will speak on designated teachers first of all. I think the treatment of designated teachers should be generous, tempered with fairness to others. To achieve this, I propose two changes to subsections 136(10) and (11).

First, the designated teacher must retain the salary he would have received with the public board when such a salary is higher than that paid by the separate school board, and he should retain this privileged position as long as the salary remains superior to that negotiated with the separate school board.

That is the essential generosity. The bill speaks only of the first year; it should be extended. If he leaves a board with a two-year

contract, which would have given him two years of higher salary, he should have this benefit for the two years.

However, it is not fair to a separate school teacher with equal qualifications and experience to receive less pay for equal work. In fact, this government is speaking of proposing a bill this fall concerning equal pay for work of equal value. It is therefore imperative, in all fairness, that either separate school salaries be adjusted upward or the designated teacher receive additional duties compatible with his or her higher wages.

Second, the law must guarantee that no separate school teacher who moves down on the seniority scale because of the arrival of a designated teacher will later lose his or her employment because of the displacement mentioned above. That is a very small possibility, but the law should make sure it cannot happen.

Next, I speak of arbitration. My only comment is that there should be a time limit set on the issuance of the arbitrator's decision. The law mentions time limits for other elements of arbitration but not for the report of the arbitrator or the arbitrator's committee. There should be a time limit there as well.

Also, subsection 7 should be amended so that both Catholic and public boards that refuse admission because of inadequate accommodation facilities—not only the Catholic boards—should be exposed to arbitration.

As far as accommodation is concerned, clause 136(1)(b) should be modified to allow a separate school board to refuse admission due to lack of accommodation facilities—and this is what I want changed—until 1990 only. The bill says for ever; I do not think that should be so.

Due to the present overcrowding in many Catholic schools—the school at which I teach has 17 portables, which have greatly diminished the usefulness of our field—time must be given to these boards to adjust. However, additions to present schools or purchase of new facilities or construction of the same must be undertaken to alleviate the present exiguity of space and guarantee access to all students as of 1990.

As far as French rights are concerned, I just wish the French rights that the secondary school separate boards would have to give would be equal to those in the public boards, not only to what they now give to the elementary sections.

On the following page, the heading unfortunately did not come out. As you notice, I am just a private citizen. I do all my own work, and therefore it is not as classy as the work you have

had so far. The heading should be "Religious Character." I am sorry about that.

It is imperative that funding not destroy the Catholic character of the school. If this character is destroyed or even seriously compromised, funding would have been pernicious or, at the very least, counterproductive, a waste of taxpayers' money and a betrayal of the history and traditions of this province. To preserve the Catholic character of the separate schools, I wish to propose the following amendments.

9:20 p.m.

Subsection 136o(6) et sequentia should be amended so as to exempt from religious education programs—this is the change—"all non-Catholics so requesting in writing." Thus only can the supremacy of the individual conscience, as accepted by Vatican II, be respected. At present, the bill says only those who are admitted for certain reasons have a right to exemption. The law should say all should, to respect Vatican II.

Subsection 136l(19) should be modified by adding "where such an employee accepts fully the Catholic character of the school." This subsection says all designated teachers should be accepted without respect to their religion. I go along completely with that, provided he accepts it is a Catholic school he is entering, with a Catholic character, is not averse to it and is not at odds with it.

In other words, a rejection of this principle in words or deed should be a reason for non-hiring of a designated teacher. If he respects that and therefore everything is perfect, his religion does not enter into the count. We do not even ask him to contribute, just to respect it.

Subsection 136l(20) should be amended so as to reserve the position of principal to a Catholic. I realize this is shifting ground, but I would like to say why. Because of the dominant role of the principal established by law and by tradition, because of his quasi-total authority within a school—and I can vouch for that—and because of teachers', students' and parents' perceptions of his role, the principal should be Catholic.

However, I see no reason that upper echelons at the board should be reserved to Catholics. The principal is close to the action and is far more important to a school than the supervisory officers of the board. They might be offended by this, but I think the principal is much closer, and a greater leader in a secondary school is hard to imagine. This is the only position I am exempting from the rule that is laid down in the law.

Now I come to the point I am very interested in. I did not speak much of the horror stories,

because I do not believe them. Before grades 9 and 10 were funded, there were not many Catholic secondary schools. Funding grades 9 and 10 did not destroy the public system, even though there were a lot of students who went to grades 9 and 10. If they were not destroyed, I do not think this extension will destroy them either.

Clause 136s(4)(e) needs elaboration. If you look at that clause, it reads, "any other subject." I am suggesting that "any other subject" should be spelled out; it should spell out concepts for drawing the two solitudes, separate and public, closer together.

My school teams travel widely across the six cities of Metro Toronto and the borough of East York, and even over to Mississauga, to compete against other Catholic schools. However, we have never crossed swords—forgive the metaphor; I meant ploughshares—with George Harvey, which is a mere two kilometres from our school.

There is no reason in the whole wide world why leagues and competitions could not be run along geographical lines rather than being determined by religious adhesions. We should be linked to the public school in public activity days, math league competition, sports leagues, debating and oratorical competition, even courier service between the public and separate schools, professional gatherings, etc.

However, it is not through detailed legislation and rigid laws that this drawing together will be achieved. We have to live with our past and the prejudices and walls it has established. We cannot shut our eyes and wish a better world.

I propose the formation of an adequately funded committee that will work towards drawing the schools together. Gradually, new contacts will be created. First, the more innocuous areas will be drawn together. Debating is an area where tempers will flare less and camaraderie will take root more easily. Why not have common debating between the schools, organized by such a committee? Gradually, a few schools will start off, and the group will get larger and larger, until the walls have disappeared. Perhaps sports such as tennis and skiing can be initiated before moving into the contact sports.

If this sounds impossible or wishful thinking to you, then I need no further proof that it is necessary. May the new broom in our province rise to the challenge of gliding past funding into the area of healing and uniting. I believe this is one of the most important parts of my brief. I

would like to see efforts made in this direction in a very pronounced way.

I now speak about diversity. I ask this legislative committee to accept the final challenge of setting education free, of daring educators to achieve excellence, of scaring the pants off administrators faced with the logistics in order to create greatness where previously there was just goodness.

What am I speaking of? I am asking you to fund not only Catholic schools, as guaranteed by the Constitution, but also private schools. Boards cater to masses; they are great equalizers that step down to the lowest common denominator, a practice condemned by mathematics, which speaks of the highest common denominator.

Allow churches and even distinguished private citizens to set up schools of excellence. I can see university professors of great excellence wishing to found a school that would stress excellence in certain ways. Allow peace groups and labour groups to set up schools with bold characteristics that cannot be achieved in the more rigid structures of a board. Be bold enough to invite scholars and doers to step forward and create a different school.

What are the logistics of this thing? Do not be scared. Schools are not mushrooms that spring up overnight. Let the ministry set up a board for independent schools so these schools would have the advantage of closeness to other schools but the ability to be different. The ministry's board would approve each school, demanding that it meet criteria in order to be approved—criteria of curricula, educational opportunities, atmosphere and attitude.

Do not be afraid of walls, because you can make beautiful things happen within these walls. You can demand openness of mind, abandonment of prejudice, fairness of heart and just thoughts towards all. These are all things that can be created in a school. These schools, to offer a fuller program, would necessarily collaborate with both public and private boards but would be unfettered by the too general mandate of a board. They would be able to achieve their particular excellence. Furthermore, both public and Catholic schools would have to strive for greater excellence or see their pupils slip away from them.

"Fragmentation of our systems," many will say. "A new, refreshing piece to our mosaic," I will say. Do we wish all families to live in apartment buildings so as to create unity? Do we accuse private homes of fragmenting society? Fragmentation and isolation are states of the

mind, not of a physical structure. Guidelines and regulations can fit the pieces of this jigsaw puzzle into the beautiful thing that education in Ontario should be. There are some beautiful educators who, as heads of schools unfettered by boards, would produce wonderful music in education.

I address myself to finances very briefly at the end. It behooves me in the materialistic society we live in to finish by refuting an argument put forward by His Grace Archbishop Garnsworthy and by the president of the Federation of Women Teachers' Associations of Ontario earlier this summer. "This funding is expensive, and we need money for the creation of jobs," says the archbishop. "We need money for our elementary schools," chimes in the latter. We heard that same cry again this evening.

I will just recall how great things have been done for pupils in special education in recent years at the expense of other needs that many considered greater. I feel happy that we are putting out thousands to take care of our mentally disadvantaged, who will sometimes never learn even to speak properly. We have many of these at our school. They cannot even come to school by public transportation—they would get lost—and we are spending a lot of money. One girl in a wheelchair has a teacher's aide who spends the whole day with her, one to one. That is a lot of money for one pupil. I think it is beautiful.

I do not think we should allow this question of money to block us from realizing that there are other things to be achieved. They must be served despite the many urgent needs. Let justice be done to the Catholic schools now. We just cannot wait until all other urgent needs are met.

9:30 p.m.

Mr. G. I. Miller: I would like to bring something to the attention of the committee. Last night we had a member of the committee, the member for Scarborough Centre (Mr. Davis), and the member for Scarborough-Ellesmere (Mr. Warner) down in Simcoe on a panel before the women's public school teachers' association. Afterward we had a bit of a discussion with the administrator of the public school in Norfolk about whether there had been a lot of co-operation between the public and separate boards. He indicated in his opening comments that, in the designated teacher field, they would be willing to pick up the wages or salaries for the teachers who had to shift over and that they would work out a system between the two. I think that shows there is some co-operation and indicates what you are saying in the brief. I think it is an excellent brief.

Mr. Llanos: I would like to add that a lot of people who have tried to address this bill—and the announcement made by Mr. Davis, to be quite frank—are creating camps and tearing people apart; that has been done in many ways, and it is a public thing. But at the level of the board very often we have seen more beautiful co-operation than we had seen in many years. I agree with that.

Mr. Shymko: I have two questions. The first deals with your statements on page 4, which I find somehow contradictory. You speak of the spirit of Vatican II and of the impact it has had not only within the Catholic church but also outside it. You say the present bill discriminates by stating that not all non-Catholic students should be exempt from religious education programs.

Mr. Llanos: All non-Catholics; yes.

Mr. Shymko: In other words, you are one of the few Catholics who say the exemptions we are providing should be open and wide.

Mr. Llanos: I think so.

Mr. Shymko: No student should be required to take religious instruction.

Mr. Llanos: I do believe that.

Mr. Shymko: I commend you for that. Then, as I read the following two paragraphs, I am somewhat surprised that you would not offer the same spirit of Vatican II to teachers and staff. You say that a teacher must preserve the Catholic character of a school and that if he should do or say something that does not preserve the Catholic character of that school, he should not be hired.

May I cite you two examples to see whether my understanding conforms to your understanding? If a teacher on the designated list were to attend a pro-choice rally before being hired, would that deed be interpreted as contrary to the Catholic character of the school?

Mr. Llanos: Not at all.

Mr. Shymko: What about a teacher who has been hired and who promotes or discusses openly the question of birth control, for example?

Mr. Llanos: Not at all

Mr. Shymko: How would you describe then—

Mr. Llanos: I am talking about one who is inimical to the Catholic church as an institution and as a whole, not to particular points it expresses.

Within the Catholic church, right in our school—for example, in our school newspaper, where I help out as a sort of teacher-moderator—we have people speaking pro-choice. It is not a question of a particular aspect of what some people may call Catholic doctrine. I think

Catholic doctrine is much broader and allows this debate. I am speaking about someone who is inimical to the very concept of Catholic education, as it were, and to the Catholic character of the school.

Mr. Shymko: All right. Given the voluntary nature of the decision to work for the Catholic school board, I would think that if one volunteers to be employed by—

Mr. Llanos: I agree with you 100 per cent. I do not think this is a problem.

Mr. Shymko: The second question is a problem to me. Although some may have doubts about this section, the bill currently has a non-discrimination reference—subsections 136l(19) and 136l(20), I believe—which says that in respect of promotion and so on there is to be no discrimination whatsoever. When you say you find an exception to this as far as the position of principal is concerned, do you not think that is contrary to the spirit of Vatican II?

Mr. Llanos: Not really; I wrestled a long time with this point.

Mr. Shymko: I certainly wrestled with this.

Mr. Llanos: I agree with the bill being nondiscriminatory; I applaud that part of the bill. I wrestled with this for a long time, and I asked myself, "How well would the Catholic church accept, for example, an Episcopalian Pope, who is not a Catholic, as head of the Catholic church?" I do not think that would go down very well. That is why I wrestled with it.

Mr. Shymko: You may see an Anglican soon.

Mr. Llanos: I am a teacher and I have known what it is, the burden of a principal. I know how that man has awful power. I saw him cut off debate like that at a staff meeting just recently because he wanted it. That is his authority. He is a figurehead who is so powerful in the school that I really felt this one figurehead was all powerful.

I do not care about promotion to director of education or any of that, but this guy has such a vivid role and everything else that I really felt that if he were not Catholic he would not do a thing. As I say, I wrestled with this and, if the bill came out and it were totally nondiscriminatory, I would not shed very many tears.

Mr. Shymko: Maybe he has such an imposing and impressive role because of the very statements of people such as yourself who say he should be Catholic. Maybe sometimes we inflate that role.

Mr. Llanos: No; I am one who has been for the democratizing of our schools for a long time,

and I have got nowhere. I tried to make our school completely democratic because of the high intelligence of the people involved. The teachers have gone through university and so on. I thought it was the ideal place for true democracy and I have always been knocked flat on my back.

As I say, I wrestled with this and I really see him as a figurehead. At the same time, I would not—

Mr. Shymko: Maybe you will continue to wrestle with this. I commend you for the statement that only the supremacy of the individual conscience can be respected, and perhaps this lofty statement should apply to those who warrant promotion to the position of principal.

Mr. Llanos: Actually my wrestling would come to an abrupt end if we were to knock down the principal from the role he now occupies and bring him down to a more realistic role by democratizing our schools.

Mr. Shymko: My last question deals with sports. I attended St. Michael's College, a school that had a long tradition—

Mr. G. I. Miller: Did you play with Red Kelly?

Mr. Shymko: Yes. I went when Frank Mahovich, Red Kelly and the others were there, so you can tell my age. I recall that, since this was a farm team for the Maple Leafs, we played various teams that were not within the separate school board.

Mr. Llanos: Was this awful?

Mr. Shymko: This was tremendous. I do not know what school you represent, because you do mention George Harvey, but I am surprised that today these competitions—I know there are intramural competitions—

Mr. Llanos: No, they are strictly within a board.

Mr. Shymko: You do not have any games or competitions with—

Mr. Llanos: You may organize a private game outside. I belong to Brother Edmund Rice Separate School, one of the Metropolitan Separate School Board schools, and we enter a hockey league for the MSSB schools. We have a basketball league for the MSSB schools. We play against St. Basil's, St. Michael's and all of these.

But no, we do not play against the public schools. Even for things like debating, we debate among ourselves. It is very gentlemanly and everything else, as though it were that Catholics

cannot fight with Catholics because that is unbelievable. You know what I mean? Two football teams, whether they are both Catholic or not, can fight. I have seen that with two public schools. I taught for years in the public schools, by the way, and I have seen, for example, good old Danforth Tech, where I taught, have the most vicious fights with Central Tech at a football game. So it is not religion, and it is awful that this is not being done.

Mr. Shymko: Yes, it is too bad.

Mr. Llanos: Yes, it is.

Mr. Shymko: I am surprised that this would be a policy of the Metropolitan Separate School Board.

Mr. Llanos: It works that way.

The Vice-Chairman: I might point out that this might be what happens in Metro Toronto, but we even play contact sports in Windsor with our separate school colleagues.

Mr. Llanos: I apologize for my narrow experience in this area.

The Vice-Chairman: No, it is all right. We have to; we do not have enough schools. We have to have to include all schools in order to have a league.

9:40 p.m.

Mr. Henderson: I enjoyed your brief and presentation and I thank you. I particularly liked your proposal of more collaboration and more coming together of the separate and public school systems. I made some comments myself along those lines a little earlier.

I have two questions. The more serious one is, do you not feel that this term "separate board" is unfortunate? It implies there is a mainstream and then there is something that is separate. If we are talking about two parallel school networks that are going to collaborate and compete, it would be a very positive step, it seems to me, to do away with that term. Although it may seem a trivial point, I think in fact it is not, because terms like that reflect how people think of themselves and they also teach people how to think of the group. I think it is a regrettable term and there must be some better way of describing the two systems if we are going to have two systems.

positive step,

Mr. Llanos: If I may make a comment with respect to that, perhaps you may be aware that the Metropolitan Separate School Board calls itself in French "le Conseil scolaire des écoles catholiques du Grand Toronto." It is "écoles catholiques," not "écoles séparées."

So I think you are perfectly right. It is just tradition, which is hard to overcome.

Mr. Henderson: The second part of my question is this: I agree the principal ought to be Catholic, but I wonder whether it is necessary that it be—

In other words, who appoints the principal? The board, I assume?

Mr. Llanos: The board does, yes.

Mr. Henderson: Surely the board is not going to appoint a non-Catholic principal in a Catholic school unless there are very extraordinary, compelling reasons, in which case maybe there should be that flexibility. Do you think it is necessary to put that into the legislation?

Mr. Llanos: I will shed no tears if it is not there.

Mr. Offer: Before I ask you a question, you have been giving little hints of a fairly extensive teaching experience, and I wonder whether you would provide the committee with some information about it.

Mr. Llanos: I am at that point in my life where I have no axe to grind with the funding one way or the other. My two children are beyond funding. I have two. My son is here tonight with me to support his father, and my daughter is beyond funding as well. I will be retiring from teaching in three years. I have come to that age, and therefore I really have no axe to grind.

We had an awful hassle over at the Ontario English Catholic Teachers' Association the other day, the teachers' professional group, and I really lashed out at the younger teachers and said, "You people have got to save OECTA, save your organization."

To me it matters little. Three years, even if it became hell, would not matter to me, because the kids are great at the school I am at.

Mr. Offer: Where are you?

Mr. Llanos: They constantly pat me on my big stomach, they pat me on the back and they smile. It is a great school. So yes, I have quite a wide experience, and now I am getting near retirement.

Mr. Offer: I would just like to carry on. It is extremely important for this committee to hear representations from private individuals such as you who have a wide experience, to sensitize us to the Catholic system so we can better grapple with the bill and its provisions, so it becomes not merely words on paper but reflects some sensitivity to the whole effect of the matter.

I would also like to indicate that, as the member for Mississauga North, I imagine your

trips, even over to Mississauga, as you indicated on page 4, were both a refreshing and a rewarding experience for you and your students.

Mr. Llanos: They sure are.

Mr. Offer: But on page 3—and this is really to carry on from what Mr. Shymko was saying—you indicate that it is important not to destroy the Catholic character of the school. I can understand that. Yet you go on to state that all non-Catholic students attending a separate school should be exempt from religious training.

Mr. Llanos: Yes, if they demand it in writing.

Mr. Offer: What about the non-Catholic student who wishes to be exempt for no other reason than choice? In your opinion, should that particular student also be totally exempt when he and his parents have made a very conscious decision to enrol at the separate school?

Mr. Llanos: That non-Catholic student?

Mr. Offer: Yes.

Mr. Llanos: Part of my experience is that I taught outside Ontario as well; I taught in Trinidad and Tobago down in the West Indies. I taught in a Catholic school where one third of the school population was non-Catholic, and it was great. That school was as Catholic as any Catholic school I have seen in Ontario where it was 100 per cent Catholic. We used to interrupt school three days a year. Non-Catholics had three days' holiday when the Catholics went on retreat. They said the rosary, they had readings and so on. Great stuff for three days, really Catholic.

We had everything. We had confession in the school, we had masses in the school and we had a completely Catholic atmosphere. The non-Catholics loved religion period because they went to the study room and did their homework so they had less at night. They did not feel left out; they did not feel different. Of course, one third is a big part of the population.

They played on all the teams, and before the game the team would say the usual prayer. I think of all the Catholics who gathered before the game to say a little prayer to get God to be on their side: how would He be on the Protestant side, anyhow?

What I am trying to say is they were great. In fact, we caused a bit of a stir. The priest who was in our school came from Ireland, and we caused a bit of a stir because one year we named as captain of our soccer team—and we had a heck of a good soccer team—a non-Catholic. The head of the religious congregation in Ireland was convinced that God would send down bolts of lightning to

destroy the school the next day. They increased their insurance by \$1 million because they were so sure it was going to happen because a non-Catholic was head of the team. He was the captain of the team and he was looked up to by everybody, and this is why I feel this thing can be achieved. I feel there is nothing wrong with this kind of thing.

We make no effort to gain converts. These people are in a Catholic school because they want to be in a Catholic school because of whatever is there. They should not go to Catholic religious instruction classes; they should not be forced into these things in any way whatsoever.

Mr. Offer: In other words, you have no problem with the—

Mr. Llanos: I have no problem with it whatsoever.

Mr. Henderson: What if they want to attend?

Mr. Llanos: Great. I have no objection to that, either; that is their doing. I say they should be exempted by a written note from the parents for one reason alone: I think the parents should be aware of what the child is doing. Therefore, if the child says, "My dad and mother say I do not have to go," it may not be true. The parents may want them to go. If the parents want them to go, I feel the child should go along with the parents.

Mr. Allen: Mr. Chairman, I would like to say that I really appreciate the way in which the spirit of Vatican II is represented in this presentation and also the very willing embrace of creativity in education.

I suppose what always arises in our minds is how one creatively contains creativity. Can you tell us what is really in your mind? You have a whole host of groups to whom you are prepared to give educational initiatives. How would you govern that appropriately?

Mr. Llanos: It is a hell of a thing. That is why I spoke of scaring the pants off administrators—in their offices, I hope, so nobody will see them without their pants on. It is a hell of a thing; I admit that. That is why, for example, I want a sort of board for these independent schools that would be directly attached to the ministry. That board would administer these independent schools, realizing that these schools were there to be different.

I can see great educators who have something very special, a special quality. They may be lovers of science or lovers of the arts or something of the kind, and they may want to create a school that is quite different.

I will give you an example of that. What was the first French immersion school started in Toronto? It is the Toronto French School, a private school. It was not the board that started French immersion; it was the Toronto French School that started it, a private school, because it did not have the fetters of a board.

I am not saying this to be nasty towards boards. By their very nature they have to exercise a sort of caution and so on. I really feel there are some powerful educators. I spoke of doers because I would like to see a school not be just something that is bland or it will fail. I think it is possible to start with some of these.

9:50 p.m.

As I said, it could be religious groups, maybe peace groups, maybe labour groups or maybe a private citizen who had something to offer in a very special way. I have worked with tremendous educators whom I would have loved to see as principal of a school, but a somewhat unfettered school. Again, I am not attacking boards in a nasty way; by their very nature they are like that. Understand that I am not being nasty about it. I would have loved to see those people in a position of authority. They never aspire to it. This is amazing, you see all the young teachers want to get a promotion. I am three years from retiring, I am still an ordinary teacher. You can see part of the reason why. I speak a little too much.

I knew one man who is the greatest educator I ever met in my life. He retired after 42 years of teaching. I never ran into one pupil in his class who simply did not adore him, worship at his feet. He is the only teacher I have met like that. If he worked up a thing and told his class, "Listen, tomorrow we are walking down to Queen's Park and we are throwing every member of the Legislative Assembly who is there right out of the building," they would have done it.

They were inspired in his class, inspired. That man was inspired. He came from an inspiring family. His mother at the age of 78 took up wood carving, and yes sir, that is the kind of family he came from. He was fantastic, that man would have been beautiful as the head of a school. His qualities were never fully utilized. That is what I am speaking of, this is the kind of thing we should look into.

Toronto tried to start an independent school, but this was a different kind of thing from what I am speaking of. It might be a very structured school, even a very conservative school. It is the kids who help this conservative school and they

are the kids who can offer them some great stuff in the conservative school.

That is what I am speaking about. It is tough, I know. I cannot answer your question and say it is a thing that could be thought out, but if you have the will you will find a way. Thank you.

Mr. Chairman: A final question Mr. Guindon.

Mr. Guindon: Thank you. Mr. Llanos, I am going to test your ability and your experience, and I am going to ask you about yourself because you just told us you taught for the public boards?

Mr. Llanos: Yes, I have for a long time.

Mr. Guindon: Did you teach in the separate school boards?

Mr. Llanos: Yes.

Mr. Guindon: In your opinion, should a designated teacher who will be crossing from the public board to the separate board join the Ontario English Catholic Teachers' Association or stay with the Ontario Secondary School Teachers' Federation?

Mr. Llanos: I think the one who wants to go over like that should join OECTA. I think it makes a lot of sense. Again, apart from just being a poor old administrator in a way, I really think it creates—

Many OSSTF members lost out among the crowd and so on. I have no objection to him being in OSSTF really, but I think he will feel more complete if he joins OECTA. We had one this year who transferred, and I suspect it was a very voluntary transfer, a bit like myself. I too switched some years ago.

I have no thing about it, but I think he would feel more fully part of his school and enjoy more of the participation in the professional activities

as a member of OECTA but I would not force him into it. The few dollars he gives as dues, forget it. I think as a human being he would feel more involved if he became part of OECTA, but I would not force him by legislation.

Mr. Guindon: It would not be a legislation problem.

Mr. Llanos: That is what happened with the French schools when they were first founded. The people who were OSSTF and moved to the French schools had a choice of remaining OSSTF or becoming part of l'Association des enseignants franco-ontariens. You knew that?

Mr. Guindon: Yes.

Mr. Llanos: Some exercised the choice of remaining with the OSSTF. Most of them eventually became AEFO. They felt they were not enough part of the school.

Mr. Guindon: Thank you.

The Vice-Chairman: Thank you very much, Mr. Llanos. For someone who is about to retire in three years, you are a very enthusiastic teacher. Your students are pretty lucky to have somebody who has so much enthusiasm after being in the profession for so many years. We appreciate your coming before the committee tonight.

Mr. Llanos: I thank you. When I retire, I will have more time to come and take your jobs away from you all.

The Vice-Chairman: Good luck. Thanks a lot.

Everyone knows that tomorrow we will not be meeting here. We will be meeting over in the Macdonald Block, Ontario Room, at 9:30 tomorrow morning.

The committee adjourned at 9:55 p.m.

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of Ontario



No. S-47

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Friday, September 20, 1985



Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC

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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Chairman: Johnston, R. F. (Scarborough West NDP)

Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)

Allen, R. (Hamilton West NDP)

Davis, W. C. (Scarborough Centre PC)

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Smith, D. W. (Lambton L)

Timbrell, D. R. (Don Mills PC)

Substitution: Ward, C. C. (Wentworth North L) for Mr. Smith

Clerk: Mellor, L.

Staff: Nigro, A., Research Officer, Legislative Research Service

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Friday, September 20, 1985

The committee met at 9:28 a.m. in the Ontario Room, Macdonald Block.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. This is a special meeting of the standing committee on social development on the issue of Bill 30 and the extension of funding to Catholic schools. I would like to thank our witness, the former Premier, William Grenville Davis, to distinguish him from the new Education critic, William Davis, member for Scarborough Centre.

As far as I know, this is a unique occasion in the history of parliamentary democracy, in that a former Premier has acceded to the request of a committee to come before it to talk about an issue that is now the responsibility of a new minister and a new government.

We, the committee members, appreciate your spending time with us today on the understanding this does not set a precedent that would require you to attend all our committee hearings in the future. I appreciate your taking the time to come here for this specific issue because of a number of serious matters that have been raised about the philosophy behind the decision and how you came to that decision. There have even been books with certain allegations. I am sure you have been as well aware of them over the past months as have the members of this committee.

The committee members have a number of questions about how you feel the present legislation fits what you were after. I am sure you will take whatever time you need for your opening presentation and then we will open it up to the committee members.

Hon. Mr. Davis: I was going to preface my remarks by saying how delighted I am to be here. I thought I might have been until I read some of the newspaper observations and listened to the news this morning. I understand I am to be in the hot seat. I have not noticed anything scientifically different about this seat from the one you are in or the one the minister is in. In fact, on this issue you are both in warmer seats than I am, but that is not the impression I got from the media this morning where it was indicated I was about to be

grilled. I usually think of that as being related to cheese sandwiches. I look forward to constructive questions from members of this committee.

I accepted the invitation with misgivings, not about what might be discussed but about a former Premier appearing before a committee of the House dealing with a bill that has received second reading, approved by all three political parties in this province and introduced by a government from which I am twice or thrice removed, depending on your point of definition. My concern exists only as to the propriety of doing this.

At the same time, I accepted the point of view you expressed to me, that it is a fundamental and sensitive issue in Ontario, an issue that has its origins in our history as a province. As I indicated to you, if I could be helpful with the committee's deliberations, I was prepared to come.

I want to say to the members of the media, who are here in some numbers—perhaps because there is not a lot of other excitement at Queen's Park today, I am not exactly sure—that it is not my intention to add to some of the rhetoric or to comment on some of the observations made by some individuals; nor is it my intention to indulge—I will be delighted to talk to you after my appearance before this committee.

I hope what I say here will be sufficiently definitive within the context of whatever I regard as being definitive. It is not my intention to add to or provoke any sort of debate or confrontation.

From my standpoint, that is not what this issue requires. It requires a degree of sensitivity and understanding of what it really is the government of this province is attempting to achieve and some understanding of how we arrived where we are today. When someone asks, with reference to certain mythologies that have developed over the past few months, how I came to that conclusion, I could be very facetious and say I am following the example set for me by the Liberal Party and the New Democratic Party, whose position it has been since approximately 1970.

That would be unfair, it would be facetious and it would not be true. However, if I wanted to answer some of my critics, I could say that in all honesty, because that has been the traditional position.

As I go through this in my mind, I hope there is some understanding of what makes governments function. I hope there is some understanding that leaders of government are faced with complex issues about which decisions are made, in spite of the cynics, on the basis of a level of conscience, of trying to determine, in essence, what they believe is the right thing to do.

I know the debate that has gone on. I lived through the debate. I lived through it in 1971 when on some days I felt almost alone as I travelled this province in defence of the government policy I enunciated. I did so because I believed in what I was saying. I believe in the decision announced in June 1984. I support the legislation totally. I do not mean in its detail. I am not going to get into a discussion of the details of the legislation. I do not think that is my responsibility nor do I necessarily have the capacity. I support the principle of what is being done.

People have to try to understand the former Premier of this province. I have been portrayed by some as this kind of person, by some as that kind of person. The only one who really knows the kind of person I am is seated behind me, and there are some days when she does not know totally.

I do not think any consideration of the principle of this issue can be dealt with effectively without understanding the history of the issue. I know it has been discussed in the House and I know others have referred to it, but since you have asked me to come here, I am going to refer to some of the history. The understanding is that I am to have 15 minutes, and then you are to question me. I have to warn you, Mr. Chairman, I have been known to take 15 minutes to clear my throat, let alone make a detailed and comprehensive statement. Today is not going to be any different.

I will not refer to the acts of union or to the British North America Act and I will not second-guess the Fathers of Confederation, although I did so on one or two issues when we were in constitutional deliberations. I will make this observation. We are dealing, in essence—and this has sometimes been missed in the public debate—with two school systems in Ontario. In terms of the law, in terms of history and in terms of tradition, we are dealing with the public school system and with the public separate school system.

It is not my intention to debate, nor have I ever debated, whether, if I had been a Father of Confederation in 1867, I would have made that

determination of the entrenchment of these rights. I have to say as an observer that the Fathers of Confederation were probably right to give the provinces the jurisdiction over education, which, by implication, includes in it the existing traditional patterns.

I ask those critics of what is being done to put themselves in the position of the Fathers of Confederation. Would they have made the same judgement if we had had a complete system, if the history of Canada was not such in 1867 that they were dealing with the common or grammar schools? What if there had been 12 or 13 grades existing in the public separate school system in 1867? We would not be debating this issue.

Are we saying to ourselves that those same gentlemen who established the Constitution of Canada, if there had been 13 grades, would have said it will only go to grade 8, with maybe a little bit of help for grades 9 and 10? I may have reservations about the judgement of some of the Fathers of Confederation on some issues, but, in logic, how could anyone make that argument?

It is a question of history that the rights for the public separate school system were entrenched or granted on the basis of the educational system *per se*, in my view as a nonhistorian—and here I always look to Mr. MacDonald as being the expert in this field, except he is wrong on occasion as well, as we all are—that has to be the starting point.

Then you move to contemporary history on this issue. For those who say this was a surprise—I read in the news this morning that I shocked the Legislature. I never shocked the Legislature in all my time in the House. I may have surprised them, but I have never shocked them. I never saw any expression of shock over there. I wish on occasion some of you had been shocked. Surprised, perhaps; but when you look at it, I question why they should have been surprised. Maybe in terms of timing; who knows?

You go to the next evolutionary step in this process—and it is an evolutionary process. I refer to the introduction of the Ontario foundation tax plan, which was announced in a somewhat similar fashion to a House that I do not think was totally shocked or surprised in 1963. For those who are looking at a process, the foundation tax plan was introduced by way of a policy statement. The general legislative grants that reflected that policy statement emerged in 1964.

If the Minister of Education disagrees with my recollection of history, he should correct me. He has never hesitated to do so before. This morning

should not be any different. That is my recollection. You are all too young to remember that speech. I do not know how many of you were in the House when it happened. My predecessor gave an excellent articulation of the issue and the rationale for the foundation tax plan.

I have glanced at, in fact I read, what John Wintermeyer, the then leader of the Liberal Party, said. I was just teasing Donald MacDonald, who spoke on behalf of the New Democratic Party. There was a general tenor in the observations of the three distinguished leaders that (a) it was right, and (b) it brought—and here I am interpreting—a degree of finality to the issue.

9:40 a.m.

I remember very vividly listening to those observations and while in my own mind I may have wished to agree with them—I do not often make notes, but I did say to somebody afterwards and I did make a note, which I cannot find. It is not shredded. Some day I will find it. It was a note to myself that probably the foundation tax plan would ultimately lead to the inevitability of extension.

An extension in 1963-64 was not the subject of the foundation tax plan, but in historical terms what the foundation tax plan did—I was very intimately involved, which will come as a shock to you, in the development of that along with Bob Jackson, to whom this province owes a great debt, in my humble opinion, and Brock Rideout.

It was one of the most creative approaches to a complex, sensitive issue that could have been devised. It was not perfection. It did not achieve all its ultimate objectives but, none the less, in the history of the issue, it cannot be ignored. What did it do? It did not finalize the issue at all. It was by way of government policy, supported by all parties in the House, to create a degree of equity for the public and separate school systems in this province that had not been available to them in prior years. It gave a financial and economic base and it strengthened the system in economic terms.

Anyone who would argue that it does not have an impact on the inevitability of extension in some point in history does not understand the nature of human affairs. That was a historic period in the educational life of this province.

I will go to another step that some people tend to forget. If the minister thinks he is going through a modest trauma—and I do not sense he thinks he is, but if he does—I will take him back to 1967. I was in London, England, on public business—I am sure I was—and my predecessor,

God bless him, announced that Ontario was going to the county board of education system.

That did come as a shock because I was there and he was here. It did not come as a surprise because the Liberal Party of Ontario had been advocating this for years. Sean, that is factually correct. You remember the day in the House I was able to stand up with that pamphlet in which the Liberal Party of Ontario supported county school boards and regional government.

I say to you, Mr. Member from Haldimand-Norfolk, that is where we got the idea. I am now teasing.

Mr. G. I. Miller: You sold it to us.

Interjection.

Hon. Mr. Davis: You are being very kind. In exchange—

Mr. Chairman: You might speed it up a bit.

Hon. Mr. Davis: Yes. In exchange for your not allowing any heckling, you will notice I have not lit my pipe.

Mr. Chairman: That is very good. My arteries thank you.

Hon. Mr. Davis: But that was a trauma, believe me, in terms of the political process of the day, a trauma even with the teachers and certainly with the trustees and administrators, although not so much so perhaps as this issue.

The only reason I raise it is to try to relate for the committee, and for members of the public who may take some interest in what I have to say, that we did not impose that legislation on the separate school system. The separate school system came to us and said, “Mr. Minister,” and through me to the Premier, “We wish to have the same units of administration,” not necessarily coterminous because the geography did not work out but in terms of the general principle. That was the next step in the evolution of this process whereby we created larger units of administration for the separate school system in this province.

Once again, knowingly or unknowingly—some will say unknowingly, but I think knowingly—we provided a further administrative base and strength for the separate school system. There is a distinct difference between the Dufferin-Peel separate school board of this year and the multiplicity of separate school boards that were in existence in the same geographical area attempting to deliver an educational service to the citizens in my community.

There is a difference. It added a dimension and strengthened the educational abilities of the separate school system to deal effectively with

the prime purpose of what we are discussing, that is, the education of the children within the system. That too is a part of the history.

I said to the minister that a trauma existed, and the meeting that stands out most vividly in my mind was in Tavistock, Ontario. I was in fear and trembling, more so than I was in coming here today. I was confronted by very distinguished representatives of the rural community. I did not think I was going to escape unscathed, and I nearly did not.

Who was leading the crusade? This is a bit of history I always like to relate. Leading the crusade was a distinguished citizen of Woodstock, one Dr. Bruce Halliday. He said: "It is the worst thing you could ever do, Mr. Minister. It is wrong. We are opposed. You will never get away with it. You are going to run into political disaster." (a) We survived and (b) Bruce Halliday became chairman of the Oxford county board and five years later said it was the right thing to do. He is now a distinguished member of Parliament.

That is totally irrelevant to these discussions, but I had to give you that little bit of insight in case you were looking for something to think about.

No one can ignore the foundation tax plan or the consolidation of school boards in this discussion, but we can now move from those subjects to another situation where I made my point of view known in 1971. I make no apology for that. I used the same process then as I did in 1984, with the exception that I made my statement when the House was not sitting. But it was done to the public; it was done saying no.

I am always intrigued by those individuals—sometimes columnists or the odd editorial writer—who use the term "edict" or "imposition" when you do something with which they do not agree. When you do something with which they do agree they say, "Hallelujah, you are right." They do not talk about edicts or impositions.

I did not hear the Globe and Mail editorializing that my decision on Spadina was an edict. I did not hear any suggestion there should have been broader public discussion and committee meetings through all of Metropolitan Toronto. This was because the Globe and Mail supported the decision. That is human nature, I understand it; but I hope we understand the contradictions that sometimes emerge in some of the rhetoric that is used.

I was involved very intimately with the debate for nine years when I made the announcement in 1984. I made it coming from a background of

what, in my youth, was a very small community. Heaven knows, my father may have been a member of the Loyal Orange Order; I was not.

I came from a community in Brampton where we had a very small Catholic parish. I came from a community where St. Mary school emerged during my lifetime. That school was located side by side with Gordon Graydon school which my children attended as elementary school students. I can recall asking on occasion: "Why do they not share the same playgrounds? They are there together."

I hope I am not upsetting anybody but I listened to, I think it was Joan Westcott who made a presentation to you from the Women Teachers' Federation; I did not follow all the discussion but I happened to catch that. I listened to some of her very thoughtful expressions to you. I would never accuse her, or whomever it was, of plagiarism, because no one would ever take what I said as being relevant, but I heard myself speaking. I heard the references to bringing people together that I used in 1971 because I believed them.

Part of my thought process with respect to the bishops' brief, as it was called, related to a feeling I may have held subconsciously. I may have felt that at some point we could move to a school system where there would be panels for the separate school supporters, etc. I am not sure of that, but I made that decision in conscience based upon what I believed.

9:50 a.m.

I am sharing some personal feelings here with which Kathleen alone is familiar. In spite of some of the cynics who suggested I made that decision predicated on political grounds, it was probably the most difficult one I ever made in my political life. I know some made the suggestion it was for political gain and I understand that. Heavens above, you cannot be in our profession if you do not expect to live with that sort of situation. That decision probably, in all my time in political life, was my most difficult.

I had been part of the foundation tax plan which, as I related to you, was an important milestone in the development of the separate school system. I was a part of the consolidation of school areas. I had dealt with the separate school trustees, many of whom I like to think were my friends, even though they did not agree with us on a lot of issues.

I had dealt with the church leadership of all denominations, and I make no apologies for that. I discussed this issue with Emmett Cardinal Carter before he ever became or dreamed of

becoming a cardinal, dating back to the mid-1960s, when I met with the Roman Catholic bishops of this province every Easter, year after year, when this issue was discussed in a positive, constructive and very civilized way. There is no question that was the case.

The history of it has to be recorded. To my knowledge, at no time since the presentation of that brief has the position of the Roman Catholic Church in Ontario altered because I denied the request in 1971. Mr. Chairman, you and the minister can correct me if I am wrong, but at no time has the position of the New Democratic Party of Ontario or of the Liberal Party of Ontario altered since either 1970 or 1971.

There has been continuity. There has been no revocation. There has been no alteration in the basic request that has been before government in a formal sense since 1970 and has been part of the request of the church and many separate school trustees and supporters for years prior to that date. It is not new. It should not surprise anyone. It is part of our history. I would argue on occasion that it is potentially part of the strength of this province in terms of the very diversity that exists.

I will come to the philosophical nature of my determination in 1984 if I can have another 35 minutes; I will not take that long.

In essence, that is what happened in 1971. It was very difficult for me. I am not asking any of you to share in that difficulty. I sought the job and I got it. I enjoyed it most days, but it was not easy. It was not like the Spadina expressway. It was not like many other decisions a head of government is forced to make. For me, that was my most difficult decision. I think I can say that without fear of contradiction.

I believed in what I was saying at the time, but I have to say I was never totally comfortable with the position I had taken. I like to think we are dealing not only with issues of sensitivity, issues that relate to the educational needs of our young people, but also with an issue where one's conscience ultimately has to govern.

I cannot explain why the decision was made in June 1984. I read a lot about it; they do not know what they are writing. I cannot answer it for you. I can tell you that decision could just as easily have been made six months earlier, perhaps a year earlier or perhaps six months later. There was no magic in the date. There comes a time in the life of anyone, whether in politics or elsewhere, when something has been bothering him for a period of time and he says to himself, "I have to deal with it in one form or other."

As a matter of conscience, I felt I had to either reaffirm the position of the government or do what I then did—govern by my own view, by my own sense of what had happened, by my own sense of what might be acceptable within the province. I came to the decision I did.

People can and are free to look at the rhetoric in the 1971 statement and see references about bringing people together; I still believe it. They can read references with respect to some of the other issues related to the philosophical nature of that decision. They can read what I said in 1984; it was not as long and perhaps it was not as philosophical.

One of the abiding ingredients in it is a recognition that while one can argue, and it is understandable, that there is great merit in having young people move into a common secondary school system after they leave grade 8—I used those arguments, but not with the eloquence that has been expressed to you by others at this table—I can also use the argument that if some of these young people feel they are being disadvantaged or discriminated against, or cannot understand the logic of what the policy really enunciates, then I say to myself, "Can you bring people together with a greater sense of sharing and participation from a sense of equity and equality, than you can by some enforced rule or policy that dictates otherwise?"

We have Cardinal Leger Separate School in my town now. If anybody had said that was going to happen in Brampton 25 years ago, they would have said, "See your local psychiatrist," except we did not have any 20 years ago, I do not think. We must have some now; it is a big town.

Interjection: It is too bad.

Hon. Mr. Davis: Yes, it is too bad. Maybe we do.

I said to myself, as I saw some of these young people wandering away from the school—because we are not too far away; they used to stop and talk to me when I was cutting my lawn. That may come as a shock to you, but I do; I have not as much recently, but I used to cut my own lawn.

What is the date when people leave in June? When does the secondary school fold up? The 18th? It is hard to explain the logic to youngsters, many of whom came from families who chose this province as their home—they were not born here by accident; they came from new Canadian families—that when they left on June 18, having successfully completed grade 10, if they got their marks, with a public investment by the people of this province, something had happened between

June 18 and September 5 in the same calendar year whereby they then had to start to pay fees.

It was hard to explain the logic or the fairness of this, because we have encouraged children to stay in the same educational environment. I am not going to quarrel for a moment that their educational purposes would not have been well served by going to Brampton Centennial Secondary School some 10 blocks away. But at the same time, you have to talk about logic in some of these decisions; you have to talk about the equity of it.

I came to the conclusion that, in my view, the time had come. We recognized there were two public school systems in this province, one with jurisdiction to the end of grade 13 and one with jurisdiction to the end of grade 10. I should also point out to those critics and sometime observers that they did not understand the reality of what was also happening, that we had reached the point of funding grades 9 and 10 beyond the elementary grades. It was not a secret; it was published in the general legislative grants. But that too added a further dimension to this debate.

I am not minimizing for a second the complexity of the issue, nor am I minimizing its sensitivity. Heavens above, I lived with it for all my time in political life. I am not in any way minimizing the difficulty facing government. But I also hope, and I like to believe, that this province is mature and tolerant and that this province understands that if we really believe in some of the things we say—when we look at our multicultural policy, when we want to make people retain some of the things that are dear to them—we recognize the equity and the logic in a matter of conscience that this is the time for this very fundamental change in policy.

If somebody wants to say “the former Premier”—the *Globe and Mail* says “ex-Premier,” because you can condense it into shorter terminology—if somebody wants to say I changed my mind, he is right. I am not here to apologize for that. I am not here, as the *Globe* said this morning, to explain it, except to say very simply that I was the head of government. I had responsibility for close to nine million people, many of them young people, with systems that had their roots in history and tradition. As the head of government, I felt the time had come to make a move in this difficult and sensitive area.

I sometimes wonder when I read of some of the presentations to the committee whether the issue has lost a bit of focus because of some of the peripheral issues. We are talking about rights.

We are talking about children. We are talking about their educational program.

10 a.m.

I have to add this. You have to look at some of the good sides. I do not know whether Malcolm Buchanan is behind me; if he is, it is the first time he has ever been behind me. But Malcolm, if you are here, I have to add this: I listened to you two and a half or three years ago decry the quality of the education system of this province; it was going down the drain. I listened patiently, and I very rarely replied.

Then in the last six months I saw you in living colour on the people's network and on other networks, saying, “I am opposed to”—yes, the other network; I think he was on CTV as well or CFTO. I listened to Malcolm say to the whole world out there that one reason he was opposed to the extension was that it would take away from the excellent quality of the existing public school system. I said, “Malcolm, hallelujah for you,” because that is what I believe too, that it is an excellent, high-quality system. There are always these little things that come out of these rather difficult moments.

The process—no one may ask me about it, but the press will, and I do not intend to have a significant scrum with the press after this extensive, totally articulate elucidation in a definitive way of what transpired. The process was not very complicated. I came to this point of view. I went to the executive council of this province. While I will never disclose the confidentiality of those discussions, I can tell you—and I do not think anyone will ever dispute it—that when I made the recommendation to the executive council of this province, it was as close to unanimity as one could ever expect to achieve with regard to the support I received from my colleagues on a sensitive issue of this nature.

The process then is very simple. Mr. Chairman, you follow it within your party. I am sure the minister follows it now with his responsibilities in the government. I then proceeded to caucus. I did so not with any fear or trepidation, because I have never approached caucus in that way, but I think I am right in saying the spontaneity that emerged at that caucus with respect to the recommendation I was making was not so much a surprise for me, but it was not totally anticipated. You cannot have a caucus such as ours or yours, with respect, or the Liberal caucus, where you will have unanimity on tough issues. However, there was a spontaneity, a response. I proceeded from there into the

Legislature to inform the members of the House and, through the House, the public.

I had some representations made, and I want to deal with this. I met with His Grace Archbishop Garsworthy in December. Without betraying any confidences or in any way wishing to interpret what he said, it would be fair to say that he expressed some surprise at the lack of public debate. I said, "Your Grace, one reason is that when I announced that policy in the House, I knew without any reservation it was going to be accepted by the other two leaders." I said—the press has heard me say this before—"I do not believe it is my responsibility to provoke a political debate when all three political parties are in support."

He had some concerns. I said to His Grace, "If you have concerns, there has been some public discussion." He was not familiar with the activities of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario; in fairness, I did not expect him to be. I said, "Would you like to go and appear before the commission?" I thought it might be helpful. He declined that invitation, but he did meet with a member or members of the commission in January because I felt I should make these arrangements.

I will not comment further as to certain observations made at a later stage, but I wanted to make it abundantly clear that the opportunity to appear was mentioned.

I have listened to people say the government would be better served to allocate these moneys for youth unemployment, etc; but on those two issues it is not an either-or situation. I would not presume to offer advice to the new government, but heavens above, if there are some programs for youth unemployment, etc., that need to be introduced, surely the government of the day will find ways to do it. It is not a question of either this or that.

I would also make this observation. Moneys spent in education—I never use the word "spent"; I say, "invested"—are one of the best investments vis-à-vis the opportunities for youth employment that any society or any government can make. I happen to believe it is totally consistent that we make this investment in the extension of the separate school system.

There has been some concentration on costs, and before Mr. D. S. Cooke has an opportunity to ask me about what the estimates were in June 1984 vis-à-vis the guesstimates that exist today, I would say to Mr. Cooke I am not without fault. I

received certain information that indicated in the calendar year it would be about \$40 million. I did not include in my calculations the question of transportation or what is a very appropriate policy by the ministry wherein this year it is allocating about \$6 million to mitigate the change. That was not included in the calculations.

I heard some of the member's observations. I know why you want me here, but I would say, Mr. Cooke—and I am not being sarcastic or facetious—I made it abundantly clear in 1971, and I reiterate it again now, my principles are not there because of the amount of money. Either you believe in something or you do not. If you believe in it, you try to make it work.

To say we should not have done it, or if you say your support was induced by the \$40-million figure and if I had said \$60 million you would not have supported it, I would be disappointed in you and surprised; but I know that is not the case. You do not believe that, but I get the impression you wanted me here because you did not know about the money.

I think money is totally relevant; I am not going to argue it. I know one politician who went to his political grave because he said, "What's \$1 million?" Now when did he say that? If one were to use the inflationary factor, let us say the guesstimate was out some millions of dollars.

Minister, what are the general legislative grants this year? Are they \$3.3 billion?

Hon. Mr. Conway: They are \$3.15 billion.

Hon. Mr. Davis: Let us say \$3.2 billion for the sake of argument, because before you are all finished, it will be \$3.2 billion. The committee expenses alone—no, they do not come out of that. Let us use \$3.2 billion for the sake of discussion because it is easier for me.

If you are providing, which I know you are going to alter—the Ontario Teachers' Federation will argue it is about 46 per cent; your ministry will argue when you include teachers' superannuation that it is around 47 or 48 per cent—whatever the figure, let us arrive at a figure of 46 to 47 per cent, which means the boards are, contributing about \$3.6 billion. Let us use the round figure of \$7 billion as what is being invested in education this coming year. I am not far out.

Let us use the higher figure of \$70 million—and I am trying to come to your point, Mr. Cooke; I would argue it could be \$60 million, but let us use \$70 million as the figure. You are far better at this than I am, Minister, or you, Mr. Chairman: what is \$70 million as a percentage of \$7 billion? What

are we talking about? I read papers—percentages this, percentages that, millions and millions of dollars. My rough estimate, without calculation, is that as a percentage of the total budget for education in the province, one per cent of the total is involved in the first year of this program. Am I right?

Mr. Chairman: Give or take, yes.

Hon. Mr. Davis: Would the press please note that if you are focusing on cost, I am not going to say for a moment that it is not a whole lot of money, but I am saying that \$70 million out of \$7 billion, if you want to look at it in that context, is one per cent of the total budget being allocated to this most important investment.

Then somebody talked to me about the numbers game. Once again, I heard Malcolm talking about 8,000 teachers. I am not going to get into that except to say if one wants to endeavour in some way to focus and quantify the question of transfer from the public system of education to the public separate system of education—and I am not referring to the transfers of those already in the private Catholic high schools—are we looking at 6,300 or 6,500?

Hon. Mr. Conway: About 6,300.

Hon. Mr. Davis: About 6,300. I used to know these things just like that. Of course, when I was minister, there were two million kids. I know why there were two million: Kathleen and I have five; you have none. You have not discharged your responsibility. Do something about that, Sean; you are a part of declining enrolment.

10:10 a.m.

Once again, to put it in some sort of focus, we are talking about 0.3 per cent if it is 1.6 million. Are we around 1.6 million or 1.65 million? Am I right, Mr. Bernier? You are an expert in mathematics. It is 0.3 per cent of the population that is transferring. I understand. This goes on in years two and three.

I could also be a little mischievous today by introducing the question in the longer term of whether we will have 13 grades. I defended the 13-grade structure for years. I remember the minister's dear colleague, now the Treasurer of Ontario (Mr. Nixon), who stood in the House and said, "Premier, get rid of grade 13." I do not know whether that is going to happen. I am not making any observations, but I think in any planning one looks at what the grade structure will be.

I come to a sort of final note, and I do it for the benefit of the press. Dealing with the mythology again, I have tried to tell you the process in a very

personal way. I understand that if the decision had been another way or if I had stood up and reaffirmed the position of the government, I would not have heard some of the things that have been said by those who object to the process. I am a realist. I live with it.

I have also heard about and had relayed to me observations that I find very regrettable. I have known the cardinal of the Roman Catholic Church in this province since the mid-1960s. I have known a lot of other church leaders. I regard many of them as friends. I respect them. I like to think that, while they disagreed with me, there was some modest measure of respect as well.

I want to make it very simple. The cardinal never threatened the first minister of this province. It is as simple and as factual as that.

Now, if there are any modest questions, I will be delighted to endeavour to answer them to the best of my ability. Mr. Chairman, I would like about four minutes to sum up after I have been grilled. If I have missed anything, I apologize.

Mr. Chairman: I am sure you will be able to pick it up as we go along. We have agreed on an equal sharing of the time between the three parties. Since you would like a few minutes at the end, I suggest we limit it to 10 minutes for each of the parties to ask questions. We will leave you three or four minutes at the end. At that point, a lot of people have to make the trek over for the installation.

Mr. Reycraft: Mr. Davis, on behalf of the Liberal members of the committee, I wish to express our appreciation to you for coming before us today to assist us with a task that, as you have described it in your words this morning, is a very sensitive and difficult one because, to use your words again, of the "complexity of the peripheral issues."

One issue that has emerged is the matter of access of non-Catholic students to separate schools in the province. Thinking back to the statement you made in the Legislature in June 1984, you suggested that Roman Catholic boards would, you hoped, have a more positive attitude with respect to that access policy. I wonder whether you could expand on that somewhat and explain a little of your view of the appropriateness of any conditions that should be attached to it.

Hon. Mr. Davis: I hope the committee will understand if I do not comment on the legislation in a detailed sense. I have not been part of it. You people have all been the beneficiaries of advice and guidance on the specifics of the legislation

and I would not presume to offer many judgements.

What I will reiterate is a fundamental principle contained in the statement and that was the question of access. The reality is there. One can deal with this in somewhat philosophical or pure terms but the diversity of this province in its geography and population distribution is such that you could not have the extension of the separate school system without consideration of access and making it abundantly clear that access has to be a fundamental principle of that legislation. I had no reservations in stating this and making it quite clear to all members of the community that this was fundamental to this change.

I cannot tell you how it should be specifically spelled out in the legislation. I sense from the legislation that the principle is being addressed and I am sure you will get many points of view as to how it might be altered to better address it. The fundamental thing from my standpoint is that it is an integral part of the legislation itself.

I would, in trying to be as helpful as I can, make the observation that you do not make this very substantial change and expect that the legislation encompassing this change will necessarily be 100 per cent right the first time around. There are precedents in this province for fundamental legislation being amended at some future date to rectify a situation. I hope people understand that. That is always an option open to the members of the House.

I cannot help you any more than that except to make it abundantly clear that one of the guiding principles was the question of accessibility. It has to be there. It will not work in some communities without it. It might in Mississauga, but I am not even sure it would there.

Mr. Reycraft: If I could move then to another one of those peripheral issues that have emerged, and it is a fairly significant one, particularly in parts of the province such as mine in Middlesex county. It is the issue that surrounds the many small secondary schools that exist across this province in rural and northern Ontario where the enrolment is low. The schools are already beset by the problem of declining enrolment and it is becoming more and more difficult to offer a broad educational program to the students.

In thinking back on your statement, I wonder if you considered the principle could be implemented in a fairly uniform way across the province. Is it appropriate there be special provisions for those areas I have referred to?

Hon. Mr. Davis: I have found very few policies of a fundamental nature of this kind where there is not some creative way of dealing with situations that are not the same. I perhaps know as much as anyone around the table about the differences in both the educational field and many others that exist in Ontario. We have over the years traditionally been able to show enough creativity to accommodate those problems.

I do not presume to tell the committee what its ultimate decision should be relative to recommending to the Legislature the precise contents of the bill. However, one of the responsibilities we envisaged with the establishment of the implementation commission was that it would recommend to us certain options relating to that very real concern you have expressed. It is not confined to Middlesex county.

At the same time, it is not beyond our capacity to find ways to deal with it. You might provoke me into expressing an opinion. I do not know what the optimum size should be for a secondary school at the lower end. I had a little fun earlier today by relating that when I was in high school in Brampton we thought it was tremendous, and there were 230. That was a great educational experience, looking back. Who knows? I cannot tell you what that figure is.

10:20 a.m.

Both the supporters of the public and separate school systems have to understand that one of the basic tenets of what we are doing is some measure of sensitivity, accommodation and compromise so the systems will work. I remain, in spite of some of the debate, optimistic that we can do it.

But I cannot presume to suggest what you should decide about what the legislation ultimately reflects. I think solutions can be found. They will not be the same in every situation. Nothing is common in this province in this field of discussion. There are unique situations. I do not know whether there are degrees of uniqueness or not.

Mr. Chairman: May I go to Mr. Offer?

Hon. Mr. Davis: Mr. Offer, I apologize. I knew Mr. Reycraft was from Middlesex. Where are you from?

Mr. Offer: I often say Kitchener; but it has never been the case, it is always Mississauga.

Mr. Chairman: As it turns out it is Mississauga North. I believe that at one point many years ago you, Mr. Davis—

Hon. Mr. Davis: Oh I know exactly where you are from. I just wanted to give you an opportunity to say so. I still want to be friendly.

Mr. Offer: I know you are a friend of Mississauga.

Hon. Mr. Davis: Next door neighbours, yes. You have no problems in your riding. Go ahead.

Mr. Offer: I am working quite diligently on those problems which we have.

Hon. Mr. Davis: Do you want a bit of advice? Do not put in that fourth runway.

Mr. Chairman: I might warn you, the first thing to do is never to get into an exchange of this sort with a Premier. Just ask your question.

Mr. Offer: Thank you.

I would like to echo Mr. Reycraft's thank you for your thoughts. Throughout our deliberations

we have heard many representations from many concerned persons throughout the province on different aspects of the implementation of this funding. One of the larger concerns is the question of the teacher transfer, if necessary, from the public to the separate system. Would you be able to expand on your thoughts with respect to how you view the necessary teacher transfer?

Hon. Mr. Davis: Once again I will not presume to make judgements as to what is in the existing legislation you are contemplating. I will deal only with the principle.

One of my fundamental concerns was the position of the teacher in this significant change. I have listened to what they have said. I may disagree with the formal positions of the Ontario Secondary School Teachers' Federation and the Ontario Teachers' Federation on occasion, but you will never get me being anything but supportive of the individual teachers and the quality that they represent in this province. They are first class and I will say so anytime, anywhere. That does not mean they always agreed with what we were doing on pensions and issues of that nature. I accept that.

I think security for the teaching profession, apart from the other issues they are concerned about, is fundamental. That was contained in the statement. I think this committee has a real obligation to see that those principles—if that is the principle the government has adopted, and I believe it is—are articulated in a sensitive and proper fashion in the bill. But please do not ask me to frame the wording for you.

The principle, in my view, is fundamental. It has to be there, and in a way that recognizes the importance of this in respect to the change that is taking place.

Mr. Davis: I am chuckling, wondering how Hansard is going to take care of this. Mr. Davis asks Mr. Davis in response to Mr. Davis. They will try to figure out which Mr. Davis is speaking.

Hon. Mr. Davis: You speak louder than I do so they will know.

Mr. Davis: One of the concerns that has been expressed by various delegations who came before us as we travelled across the province is a deep fear that this bill will open up old religious scars. We denoted a fear that the various communities could be fractionalized on a religious basis.

When you contemplated and brought forth this piece of legislation what did you anticipate would be the mood of the people of Ontario? Now seeing the mood, is there any comment you would like to make on that?

Hon. Mr. Davis: It is quite obvious the questions from the Conservative caucus were not rehearsed. That is a very difficult question.

Issues of this nature are fundamental; they go to the roots of the history of this province and one should never attempt to minimize them or minimize the strong feelings people have.

If you are asking me if I anticipated there would be more or less, I cannot honestly answer that. I know what the feelings were in 1971. I can recall—and the minister may recall this—I think it was in Pembroke where I was addressing a public meeting, some youngsters from the private high school went by Kathy and myself with a coffin. I guess sometimes people think that politicians are immune from criticisms and are insensitive people. When you are in it as long as I have been, you tend to pay less attention to the cartoonists and what the daily columnists write, in their sometimes complimentary way, but no politician is totally insensitive. We felt these things during the 1971 campaign and we have felt them since.

Very few people know that we had meetings with members of student groups from the Catholic high schools over those 14 years and they were very constructive. A lot of people do not know that litigation was actually started, about two years ago, which came to an end because of the decision that was made.

I will tell you what I like to think. I like to think that when this issue is settled—because in our democratic society issues are settled, they are settled by the elected members—the elected members may feel on occasion that they are not representing, in totality, the views of their constituents. That is the price we pay for being members of the Legislature. When that judge-

ment is made—whether people agree or disagree with that judgement—we, after all, are all responsible citizens in this province; we have an obligation to try to make things work. That has been our history. I think we have been singularly successful.

If you had asked me, or my late father, in the mid-1950s if the foundation tax plan would have been accepted by the people of Ontario, my guess is he would have said no to you. My guess is some would have said that if we moved into grades 9 and 10 with increased funding 20 years ago, that would have caused a major problem.

When this issue is resolved I would like church leaders and others to understand that we all have a responsibility to approach this in a positive, constructive way. We may not agree with it. We may not like it, but that is part of our responsibility. I may be very naïve in expressing those points of view, but it is the best I can do for you.

I want to go on the record as saying this to you with respect, Mr. Minister, I do not think this committee has been a sham or a charade. I could have come here and argued that it was a political device to deflect some of the issue. With respect, I knew the day the committee was appointed that not only would it not deflect, but it would also focus some of the negative—I was going to say extreme—feelings about the issue to the members of the committee.

For the members, you may look back at this as being one of the rare opportunities to get an insight into the history of this province, because educational development is fundamental to the province of Ontario. You get some insights into human nature, some of which is great and some of it you might question.

I do not know that there were many committees that were exposed to this sort of thing during my time in the House. I think it has been a good experience. People can be cynical and say it is a sham. The legislation has already been given approval and is going to pass, but I think it has been helpful.

My guess is the legislation itself may be better because of your deliberations. I like to think a person such as yourself, who is a leader not only in a political sense but also in a spiritual sense, will have some impact when this issue is all settled by articulating to those people who respect your point of view that we are all citizens. We do all live here. Our fundamental interest is in our children. We want them educated. We want quality, and we want to live with one another. Maybe that is naïve.

10:30 a.m.

Mr. Jackson: Rather than a question, I have more of an observation requesting a reaction. It is safe to say that in Canada today every provincial school system has the tandem problems of declining enrolment and shrinking dollars. Indeed, this committee has received presentations from four provincial jurisdictions where for some time they have had fully funded separate secondary education or a form of that. There has been evidence of co-operation and a moving closer together of those two systems because of those original problems I referred to.

What advice would you give this committee on the future of Ontario since we are apparently entering this process of full funding later than those other jurisdictions in Canada? What will it be that will eventually lead to the kinds of co-operation we are experiencing in other provinces in this country?

Hon. Mr. Davis: The distinguished member is asking me to make predictions that are not within my limited intellectual scope. I go back to one of the things I believe. If you are seeking greater measures of co-operation among groups, individuals, institutions or organizations, those levels of co-operation can be better achieved if those groups meet as though they were meeting as equals rather than as if one were in a somewhat more dominant position and could dictate the kinds of co-operation that one envisages.

If you are asking me whether in the longer term the two school systems will find an increasing number of ways whereby they can better the educational service to the young people by the utilization of their collective talents, then from my standpoint, the potential is there. We have seen some history of this. If you are asking me whether the experience has been somewhat different elsewhere, you are quite right.

I would like to think that if at some point in time, because of the determinations made by this group of men and women, we move to a situation where there is not only equity in fact but perceived equity, the opportunities for closer co-operation and sharing of functions become more likely, without impinging upon the integrity of what is important to the supporters of the separate school system.

That is a rather clumsy answer, but it is the best I can do for you. It has always been my experience that when you have equals meeting, the chances of getting something to move in a co-operative direction are better—it is very fundamental—than if you have a couple of people

together and one is in the driver's seat or is felt to be.

Mr. Chairman: There is time for one question, but not for an answer.

Interjection.

Mr. Chairman: Our difficulty is the time constraint of the installation; we do not have time, unfortunately. Let us see how things go.

Mr. Allen: May I say to Mr. Davis how much I appreciate his statement this morning, particularly the personal references in his remarks. I cannot remember a finer statement he has ever made.

I want to ask a question, perhaps two if I have time. One has to do with process. There are probably three central elements of concern about the process that have hovered about this whole issue—I want to say, “Mr. Premier,” if you do not mind.

Hon. Mr. Davis: We should never emulate what happens in the United States on all issues, but on the issue of titles for those who have been in political office and were retired for one reason or another, once a governor, always a governor. If you want to call me Premier, I will not be offended.

Mr. Chairman: How about, “My Lord?”

Hon. Mr. Davis: “My Lord?” I might be offended, particularly in today's discussions. It might upset a whole lot of other people.

Mr. Allen: The three elements of process are encapsulated in three words or phrases. One is the word “decree,” another has to do with “resignation” and the third has to do with “three-party agreement.”

You have dealt with the question of decree and how you interpret those charges that have hovered around that word, and I will not ask you to repeat that.

The process you envisaged in June 1984 clearly did not take into account your own resignation, as I understand it. Can you tell us whether the resignation you offered the province, in point of fact, altered the process substantially beyond what you anticipated?

Finally, would you reflect for us the real difficulties that three-party agreement provides for an electorate that is seeking debate around an issue that the parties obviously cannot well discuss in the normal debating process, given their agreement on an issue like this?

Hon. Mr. Davis: You are asking me to try to guess at what might have happened if certain other things had not happened. I honestly do not

think I can help you a great deal, except to make one or two general observations.

Without commenting on the timing of my own decision to retire from public life, I knew that at some point the issue was going to be debated in a public sense. I knew this the day the statement was made. Whether or not the government of the day, if it had had continuing responsibility, would have decided to have a committee of this nature to deal with it is a judgement I cannot make. However, there was no question—and I communicated this very clearly to His Grace—that the policy would require legislation; there was no way this could be done without a legislative base and, as a result, there would be public discussion.

I was also very frank with him—or at least I thought I was—when I said I did not expect a lot of debate on the principle of the bill in the Legislature, knowing the history of the position of all the parties; once the government of the day had made its change—and I acknowledged that totally—there would be unanimity. I did not expect any debate within the Legislature itself. That did not mean there would not be some debate of a public nature elsewhere; I think that was predictable.

I do not think anyone will ever know whether things might have been somewhat different. In real terms, there would have been legislation whether my retirement had or had not happened. There obviously would have been legislation if the former government, now twice removed, had remained in office to deal with it. There is obviously now legislation that this government is considering for passage.

I wish I could be of more help to you on that. I cannot; I would be guessing. You know me; I never like to speculate on things.

Mr. Allen: Do you have any reflections on the problem that a three-party agreement poses for an electorate?

Hon. Mr. Davis: It poses a problem in this way: when you have the three political parties in this province reflecting a degree of unanimity on an issue, that says something about the issue. It has to be pretty fundamental because, to my knowledge, it has not happened very often. It may have happened more often since you have been in the House, because of your very conciliatory approach to all these things, but I do not recall it happening very often.

I guess you ask yourself, “What does this do in terms of the public debate?” It has obviously not inhibited some. It has not altered the editorial points of view of certain publications. I do not

think there is any simple answer to it. Are you asking me, "Should one of the parties decide to change its mind to counteract what the Conservative Party did in changing its mind so there can be a public debate in the Legislature?" Of course you are not. I do not have an answer to that.

We have to assume that members have some measure of intelligence. I always think provincial members have intelligence. That may not be the public perception in the minds of some, but I happen to think they are a pretty intelligent group. They may be misguided philosophically, however.

10:40 a.m.

Mr. Allen: Some would want to throw a referendum into the process.

Hon. Mr. Davis: Sure.

Mr. Allen: What are your thoughts on that?

Hon. Mr. Davis: Once again I am getting into trouble. What do I think about referendums? I point out that I have always felt our system of government was such that going the route of referendums—not that the public should not be involved or aware, but as a head of government you always liked to think the public is in support. On several issues, I knew the public was not in support, but one does what one thinks is right. We all do that.

On the question of referendums, our system is different from that in the United States. You can have propositions 1 to Z in the state of California because that is part of its constitutional process. I will make no comment on going to a referendum on this issue; you can make it yourself. The rhetoric about what would emerge from a referendum is very predictable.

One or two leaders—I do not mean political leaders—have suggested a referendum. Would they make the same request for a referendum when they have a strong point of view? Would they suggest a referendum on capital punishment? I do not think so, because they have a point of view on that issue that would be totally contrary to what, if the polls are any indication, the public might think.

That is the tough part of being in government. You cannot be in government and face a tough issue and say, "Let us solve it by way of a referendum." When did we have the last referendum? Was it under Mackenzie King? Was that the last referendum? None of you is old enough to remember it, but I do and it was somewhat divisive. The minister is a student of history. Historically, what did it produce?

Mr. Chairman: He can respond to that later, but Mr. Cooke has a question now.

Mr. D. S. Cooke: I want to add to Mr. Allen's comment. As a member who was in the House for some of the time you were in the House, I think your statement this morning was one of the most straightforward I have ever heard you make. It was very much appreciated, and I think it was helpful to the committee.

Hon. Mr. Davis: Perhaps for the first time you were listening today—I mean to me, not to anyone else.

Mr. D. S. Cooke: I will have it in Hansard in case I missed anything.

I want to ask about the process that was used after you made your announcement. One of the criticisms this committee has heard time and time again is that a decision was made by an individual, the decision in principle had been made and all three political parties agreed, but the process for determining how the implementation was going to occur was something that perhaps should have followed a different course such as a white paper, a discussion paper or whatever the method might have been.

After following the committee, and I am sure you have followed it to some extent, and listening to criticisms, would you have done it any differently? I think that is where the financial matter comes in. People are confused as to how much this will cost. A figure was given and that figure changed. That all added to people's concerns about the process of how we deal with the many principles within this one major principle.

Hon. Mr. Davis: I could turn the question around. If you had had the responsibility, would you have done it any differently? I guess we are all blessed with hindsight. On reflection, one might say, "Yes, it could have been done somewhat differently." Some of the media will now say, "The former Premier says things should have been done differently." I am not saying that.

I ask the question: on reflection, how would you have done it differently? Can you imagine me getting up in the House and saying: "Mr. Speaker, I am in the process of reassessing and reconsidering the government's position on extension of the separate school system. I am going to present a paper that points out the pluses and minuses. It will be debated for six months, after which, as a result of those deliberations, I will make a recommendation to cabinet and to caucus?"

The result of that would be totally predictable. I would be in no better position as a result of that

debate, because opinions would be divided—do not ask me to determine the percentages one way or the other. Some of the rhetoric would have been regrettable, and the confusion it potentially could have created would not have been appropriate.

We have to understand that this is not a new issue. It was not something that leapt to one's mind. It is an issue that has been part of this province from its birth. As I suggested in the historical background I tried to sketch for you, it has emerged incrementally from time to time in ways where the separate school system was further strengthened in both administrative and economic terms, and some historians might say that what was announced in June 1984 was inevitable at some point in our history.

Blessed with this hindsight, I honestly do not know how it could have been done in a more realistic way that would have reduced some of the debate that has taken place. I would argue that if it had gone the route I suggested, it would have been even more difficult.

I guess that is the price one pays for being a member, a minister or a Premier: you go through these difficult periods. The only advice I have always offered to anyone when it is not an issue that is obviously partisan in nature and does not affect the long-term history of this province is that you ultimately do what you think is right. That was the basis for the decision I announced in June 1984.

I have just had a note from somebody in the press who said I had misgivings. The misgivings I had were in 1971; I was not totally comfortable. For those of you who thought I was referring to 1984, I do not minimize for a moment—I have lived with this all my political life—what the committee is going through, what the education system is going through and the feelings that are emerging, but I feel comfortable that it is right; otherwise, I would not be here.

Mr. Chairman: Mr. Premier or Mr. Premier past, whichever we are supposed to use, I am afraid I have to cut you off because of the Lieutenant Governor's installation. I am not sure I can offer you more than about a minute or so of wrapup. The chairman usually gets at least 10 minutes of questions himself, and he is feeling as frustrated as other members are that we cannot continue this. Would you like to make a few final remarks before I break us up so we can get across the way?

Hon. Mr. Davis: I ought to sum up very briefly. I do not know whether to thank you for this opportunity, but I feel better for having

come. I feel better for what I have said because I believe it and because I think what the government and the committee are doing is right. I do not pretend that I am right, but I believe it is the right thing.

We are talking about many issues, but the fundamental issue is that of the history of this province and its future: the importance of the young people and their feeling of equity and sense of fairness. It is all part of what has been our history, and we hope it will be fundamental to the history that is in front of us.

I have been provoked. Some things have been said that were somewhat unfair, but my mother, who is a great Christian lady, always said to me, "Turn the other cheek." I intend to do so today; so for those of you who are waiting for me to say something controversial, I shall not. It is not my nature.

There are some who expressed surprise. I have reread what I thought was a very thoughtful document by the Ecumenical Study Commission on Public Education. The rhetoric in it is better than anything I could have articulated about the need for, and the way as a province we could accommodate, the changes that were being requested in 1970 in the bishops' brief. It is a comprehensive, philosophical document. It points out the pluralistic nature of our society and the recognition that we have two school systems. It was a good document.

Having changed my mind, I totally accept the rights of other individuals to change theirs. I have to tell you I noted with some interest the distinguished lay people and religious people who made up that ecumenical study commission which, 14 years before the then Premier of this province saw fit to make the kind of judgement that I did in June 1984, recommended enthusiastically, with sensitivity and understanding, that we do this in 1970. Two names of those who participated spring to view when I reread that document: John Wintermeyer, for whom I had great respect as a member of the House; and the Archbishop of Toronto, Lewis Garnsworthy, for whom I have respect.

Mr. Chairman: On behalf of the committee—and I regret having to give such short shrift to what has been a very interesting morning—I would like to thank you. I am sure it has been better for you, if only for the fact that you have not smoked for an hour and a half. Do not think I did not appreciate it.

The committee adjourned at 10:50 a.m.

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Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, September 23, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, September 23, 1985

The committee met at 9:24 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. There must be something about the 11th week that is giving us some difficulty in getting started this morning. Our first deputation, however, has helped us in that Mr. Lynch has not arrived, as I understand it, so we have not held up any of our deputations past the hour we would normally be starting.

The smallness of the group of members here today is due in part to the early hour of the meeting here on a Monday for out-of-town members and in part to the fact we are holding this meeting especially to accommodate Liberal members who are going to be caucusing in the next day or so. That is why our schedule has become fairly irregular with this morning's meeting and then tomorrow evening's.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION: HALTON, HAMILTON-WENTWORTH, NIAGARA HIGH, LINCOLN AND WELLAND UNITS

Mr. Chairman: Our first deputation this morning is from the Halton, Hamilton-Wentworth, Niagara High, Lincoln and Welland locals of the Ontario English Catholic Teachers' Association. Would Mr. Shea and his delegation come forward?

I do not know whether you have had an opportunity to see how the committee operates. Essentially, we give you a chance to make your presentation in any way you would like, with as many of you up as you would like, or as many as we can find seats for.

If there is going to be more than one spokesperson, I remind you to speak fairly directly into the microphones. The people at the ends will have to lean in if they are going to be contributors. Perhaps you could introduce yourselves from left to right, for us and for Hansard's recording of this, and then take us through the brief.

Mr. Butt: Bernie Butt, Halton unit.

Miss Cameron: Pat Cameron, Hamilton-Wentworth.

Mr. Shea: Danny Shea, Hamilton-Wentworth.

Mr. Saari: Bob Saari, Niagara high.

Mr. Montague: Mike Montague, Lincoln.

Mr. Sullivan: Fred Sullivan, Welland.

Mr. Shea: As the president of the Hamilton high unit, I represent a group of just under 900 teachers teaching in approximately 50 elementary schools. If it were within our power, I am sure we would gladly give the committee a belated and well-deserved summer vacation. As a minor step in that direction, our units have agreed to appear together before you, rather than to submit similar but individual briefs.

As representatives of more than 2,300 teachers employed by the public separate school boards in Halton, Wentworth, Lincoln and Welland counties, we welcome the opportunity to express our support for the basic principles of Bill 30.

We thank the committee for receiving our presentation and appreciate the difficulties of your self-imposed task of giving a full and fair hearing to all interested parties. We believe in this process and we are happy to be part of it.

OECTA is unique among the five affiliates of the Ontario Teachers' Federation in that it is the only association whose members span the complete junior kindergarten to Ontario academic course continuum within each board employing us. We feel this continuum has always given our boards, our students and our organization the advantage of a valuable sense of community and continuity. Bill 30 completes public funding of this pre-existing continuum.

We would prefer that the legislation reflect the flexibility of our continuum, and point out subsection 136k(2) as one area that does not. If implementation arrangements between boards involve a transfer of funds on some per-pupil basis, we are confident mutually agreeable arrangements can be worked out locally without creating an artificial boundary between elementary and secondary students—we would welcome equalization of elementary and secondary grants although that is outside the bounds of Bill

30—and without creating unnecessary accounting procedures for the whole province.

The provisions of Bill 30 offer protection to dislocated public board teachers and students, and we welcome them. Non-Catholic and non-Christian students and teachers have been an asset to our system for a long time and we will continue to accept them into the community of Catholic education. Any change will be in degree rather than in kind. We only ask that those who may not have chosen our system as freely as many have done in the past, before completion, will participate in our system with a respect for its values even if they do not share them.

In some respects, however, we feel the legislation falls short of its ideal in protecting the rights of teachers affected by completion. First, there is no protection at all for teachers currently under contract with separate school boards. Because of differences between the staffing formulas of coterminous boards, the public school board, using its staffing ratio, may declare more teachers redundant due to student transfer to the completed separate system than the separate school board, applying its staffing ratio, would normally employ.

9:30 a.m.

Since transferred public school teachers' jobs are protected, a separate school teacher already on staff may be declared redundant to make room for the incoming public school teacher; and since separate school boards, because of the continuum at the one OECTA branch affiliate, commonly have one seniority list for all teaching staff, an elementary separate school teacher may be bumped by a secondary separate school teacher who has, in turn, been bumped by an incoming public high school teacher.

We also feel the protection afforded transferred public school teachers by subsection 136l(10), commonly known as red-circling, may not be adequate in every situation.

To provide the protection teachers were promised in the completion announcement, we would first recommend that separate school teachers currently under contract have the same protections as are given to public school teachers in Bill 30, including the right to transfer into the public system should enrolment shift in the opposite direction. While the language of the legislation is limited to secondary school teachers, we would like to see the same principles applied to elementary school teachers whenever necessary.

Second, we would recommend that the time lines in subsection 136l(10) be extended so that

the salary the transferred teacher receives from the new employer board will never be less than the salary received in the last year of teaching from a previous board.

We assure the committee of our determination to make the completion of the separate school system an asset to the whole Ontario community. The system that will now expand will not detract from the public system, and we welcome the opportunity to make ours equal in all respects. We will do all in our power to make Bill 30 work. We urge you to preserve its principles and enact them as soon as possible. We are confident our performance after implementation will provide the necessary proof of this commitment.

In our written brief we have not gone into all the historical, constitutional, philosophical and educational issues that underlie Bill 30. Our parent body, various school boards and many organizations representing our Catholic community have stated these positions and they will further explain them whenever necessary.

Our brief addresses a few areas in which some relatively minor adjustments, some fine-tuning of legislation, would further the principle of equality of educational opportunity for all the students in all the schools of Ontario and improve the guarantee that the completion of our school system does not adversely affect our colleagues in the public system.

The areas we represent have long-established Catholic secondary schools with a broad program already serving the vast majority of our elementary separate school students. There is no realistic potential for a major shift in enrolment between the public separate and the public school boards. In our own cases, we expect our recommendations will not have to be applied in our areas, but we offer them because we realize there are areas in Ontario where these are not hypothetical issues.

Shortly after the statement of June 12, 1984, by then Premier William Davis, one of my local community leaders tried to contain our enthusiasm. "Completion will not solve all our problems, you know," he said. "No," I replied, "but I would much rather deal with the problems caused by completion." I can only echo Sir Winston Churchill, "Give us the tools and we will finish the job."

Thank you once again. We are ready for your questions.

Mr. Chairman: The first question that comes to mind actually comes out of one of the last things you were saying, which is that you do not think your own area is going to be much hit by

transfers. I wonder whether we could get some idea, across the spectrum of the areas you represent, whether there are any local peculiarities you might tell the committee about, any specific problems you see or any estimates of the number of kids who moved this fall. Is it possible to do that, from left to right?

Mr. Butt: I do not see any problem at all. There is a very good relationship between the boards. I believe accommodation has been worked out beyond what the original agreement calls for in that where there was a redundancy situation in the elementary panel, our board chose to accommodate that by hiring some of those elementary teachers and bringing them in. That is an example of the co-operation that exists and probably will exist in the future.

Mr. Chairman: That is Halton?

Mr. Butt: Yes, right.

Mr. Shea: In Hamilton-Wentworth, the situation was complicated by an Ontario Secondary School Teachers' Federation strike over the summer. The boards are not yet in a position to even define the population shift, let alone the teacher movement that may follow from it.

I know it has caused some problems within our board. They did have to advertise over the summer, but the class sizes are such that we are sure we will be able to comfortably accommodate any teachers designated by the public boards in our area.

Mr. Chairman: Could you easily reduce the large class sizes you have?

Mr. Shea: Yes. There are grounds for dividing some of these classes.

Mr. Saari: In Lincoln we have transferred some 40 students from the public schools to the separate schools. We have been responsible for two teachers being designated, but we have hired four and are looking forward to hiring even more next year.

We will be hiring more than the designated rate. In the long run, we will actually have more teachers hired locally in the two systems than are currently hired as we change our pupil-teacher ratio. We see a net gain in teaching jobs across the province as a result of completion.

Mr. Chairman: So you see some flexibility in the move to lowering your PTR.

Mr. Saari: As we lower our PTR we will end up hiring more teachers than currently.

Mr. Chairman: Are any of those at the elementary level or have they all been in the secondary panel?

Mr. Saari: Elementary is fairly stable, it is the high schools that are expanding.

Mr. Montague: Mr. Saari represents the two separate secondary schools in the Lincoln area. As he mentioned, he has absorbed two teachers because of the shift. We have found that the elementary panel in Lincoln has declined somewhat and these teachers are being absorbed by the secondary schools in the area, so the co-operation exists there.

Mr. Chairman: Is that just a regular population decline taking place?

Mr. Montague: In the elementary panel.

Mr. Sullivan: In the Welland area, there seems to be a slight increase at the elementary level and there seems to be some transfer of students from the public school into the secondary Catholic school, although those figures will not be official until September 30.

We have not found it necessary to designate anyone from the public schools because of things such as retirement, leaves of absence and so on, in the public school system. There is also an atmosphere of co-operation between the two boards that is very noticeable.

Mr. Chairman: We know some of it already, but what is the general population breakdown of Catholic and non-Catholic in the various areas? In Halton, is it 20-odd per cent? I cannot remember.

Mr. Butt: Total? Do you mean the overall population?

Mr. Chairman: Yes, the overall Catholic population.

Mr. Butt: I would think it is around 30 per cent, around the average for the province.

Mr. Chairman: Is Hamilton higher than that?

Mr. Shea: I could not say for sure.

Mr. Chairman: For Lincoln, do you know?

Mr. Saari: I am just guessing. I would think the overall population would be around 40 per cent.

Mr. Chairman: Forty per cent Catholic?

Mr. Saari: That is my guess. Throughout the province it is around 45 per cent, I understand, and 55 per cent non-Catholic, and we are pretty typical.

Mr. Chairman: Welland?

Mr. Sullivan: The city of Welland itself is about 55 per cent Catholic. Outside the area, though, I would think it tends to reflect what the province is in general.

Mr. Chairman: Questions from committee members.

Mr. Reycraft: I realize there was a problem resulting from the different PTRs due to the guidelines the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario operated on when the transfer of teachers did occur as you have described it here; but under the provisions of the bill a number of public school teachers will be declared redundant as a result of extended funding and the separate board will not hire outside that list unless there is a problem with qualifications. I think the problem has been addressed in the bill. I would like to explore that. It is a concern we have heard from other groups.

9:40 a.m.

Mr. Shea: We think the legislation has done an adequate job of protecting the public high school teachers; the concern we raise is for separate school teachers. I am not sure they are as well protected by the legislation, unless I am misunderstanding you.

Mr. Reycraft: As I understand your concern, it is that the number of teachers who would transfer is greater than would be required by the separate board due to a higher pupil-teacher ratio. You are concerned that if that is the case, some separate board teachers might be declared redundant.

Mr. Shea: That is stating our position, yes. Is the legislation providing for that situation?

Mr. Reycraft: I believe it does, because the legislation requires the public board to declare a number of teachers redundant as a result of extended funding. It requires that the separate board must hire from the designated list unless there is a problem with qualifications. The separate board would only hire according to its needs. There will be a difference in the number of teachers, but the extra teachers would remain on the designated list and the public board will be compensated for the cost of those employees by the ministry.

Mr. Shea: We would certainly be happy to see that as the solution. We did not read it quite that way. We did not think the separate school board would have the option to refuse quite as easily as you seem to imply.

Mr. Chairman: They do not have to pick up the person from the designated list unless they choose to. However, that does not stop what could be a potential labour problem that I think you are talking about. I refer to cases where the

separate board might decide it would prefer to take those teachers and decide to lay off in their own separate elementary panel at that point. You would obviously have to go through a whole grievance thing if that were to take place. There is nothing there that says you cannot hire people from the designated list if those spaces are not already available within your system.

Mr. Reycraft: It is assumed that separate boards will hire to fill vacancies, as both systems now do.

Mr. Chairman: Given the policy of laying off people in June, as is often done, they may just decide not to take back as many as they had before and instead take from the designated list. What does that do to the Ontario English Catholic Teachers' Association member who was let go in June? That is something you could fight and grieve, obviously, because it is not the intention of the legislation. However it is not clear on that.

Mr. Shea: Perhaps Mr. Butt would like to pass along some observations at this point.

Mr. Butt: I wonder if the debit-credit situation that has been established in agreements between boards would cover that? As I understand it, this is part of the agreement that has come out between the boards—that debits and credits would be established. If that is part of the legislation it might address that concern.

Mr. Reycraft: I think going to that system is what creates the problem; that is what happened when people operated under the PIC guidelines. A number of public teachers were identified as being affected and then the separate board was required to hire that number. That is when you ended up with a greater number of teachers than required, given the higher pupil-teacher ratio.

Mr. Butt: Yes. I am suggesting the debit-credit would take care of that. As I understand it, our board might be establishing a credit in the number of teachers they picked up this year.

Mr. Chairman: By having taken more than they required, then next year they would not have to?

Mr. Butt: That is right.

Mr. Reycraft: I understand the point. It perhaps might help.

I have another question. On the first page of the brief a statement is made about the flexibility of the continuum and section 136k(2), which does not tie in with that. I wonder if you could expand on that a bit. I am not sure if I understand your concern.

Mr. Shea: Our board is not used to operating as a high school board. They are operating at the

moment as a junior kindergarten or, as we call it in Hamilton, an early childhood education, ECE, continuum.

This legislation grants us secondary school rights from grade 9 up and is introducing a funding differential and a barrier at the end of grade 8, where previously the cutoff was the end of grade 10. We had this much money to play with for this range of students.

We see Bill 30 as pushing the grade 10 cutoff this year back to grade 11, then grade 12, then Ontario academic course, so that we would still have a continuum from the top to the bottom.

The public school system is not organized in that fashion. We would prefer that this legislation allow our boards to continue to operate as they have traditionally in the past, along the complete continuum line.

Mr. Saari: do you have something to say on that?

Mr. Saari: In the past we have co-operated well. I do not see any problem in the future in dealing with it. No matter what the legislation is, it will not prevent us from co-operating on grade 12 and Ontario academic courses. There are not going to be any artificial barriers put in this legislation but we just want this committee to be aware we believe ourselves to be a completed system, including grades 12 and OAC.

Mr. Reyecraft: That is a suggestion we have heard from some of the public boards and federations as well.

Mr. Shea: We would, as we point out, have no objection whatsoever to equalized funding for elementary and secondary students.

Mr. Reyecraft: I can think of two ways to equalize that, one of which would really please the Treasurer of the province.

Mr. Shea: We are in favour of equality up.

Mr. Chairman: We presumed that might be the case.

Mr. Davis: Mr. Saari, you made a statement in one of your responses to the chairman's questions. You said the transfer of students this year has designated two teachers to go to your system, but you have hired four.

Mr. Saari: Yes, from the public system.

Mr. Davis: Then you stated that as time goes on it appears to you you would be hiring more teachers because of the enrolment. Is that more teachers from the coterminous than is required or is that just hiring more teachers in general?

Mr. Saari: If they can find the qualifications within the coterminous board they would hire there first.

Mr. Davis: Even before hiring somebody coming out of teachers' college who is Roman Catholic?

Mr. Saari: I understand so, yes. Our principal has said he would prefer to have the experienced, qualified teachers, plus he feels he has to accommodate the public board by helping them out in this circumstance.

Mr. Davis: As a member of the Ontario English Catholic Teachers' Association, is it just and fair; and how would you deal with it if you had to deal with it? Those are the problems we face. How would you deal with it if you had to deal with it? How do you think we should deal with it? You may all take a crack at it if you want.

Once the bill comes into place, a young person coming out of teachers' college who is Roman Catholic has the opportunity of applying to two systems, either the separate system or the public system. That person can have applications in at both systems. A non-Catholic may only apply to one. How are we going to deal with that down the road? Do you think that is fair and just to the teachers coming out? Is there any mechanism by which we could deal with that more effectively than eliminating one avenue of employment for that non-Catholic teacher?

Mr. Saari: That is not really a problem. This year we hired new teachers off the street, if you like, as well. One of them was a non-Catholic, in chemistry. Even at this time, when we are hiring from the public board, we are still hiring non-Catholics off the street, as it were.

Mr. Davis: Except that as I understand it, in your hiring practices—and they are still going on across this province—there is a discriminatory clause within it saying the person should be Roman Catholic and they should have a letter from their parish priest. There are some qualifications that a non-Catholic does not have. As a teacher, are you saying they should have the right to apply?

9:50 a.m.

Mr. Saari: Certainly. They have been applying and they have been hired. It just happens that I am a non-Catholic as well.

Mr. Davis: Every time I ask that question I get hung.

Mr. Saari: There may be a slight problem in certain areas, but it is not a general problem.

Mr. Davis: That is good to hear. So you would not have any problems if this bill indicated that any person could apply to the separate school system even though he was not Catholic and that

the position being offered him would depend upon his qualifications?

Mr. Saari: Correct. But I also feel that if you go by percentage of students, you will find the public system will still be much larger in this province than the Catholic for the foreseeable future. There are going to be jobs in the public system in the near future as the local teachers start retiring and there will be hirings for non-Catholics. There may be a short period of time for adjustment.

Mr. Davis: Because of the Manitoba case they do not have to retire now at 65.

Mr. Chairman: In Manitoba.

Mr. Davis: In Manitoba; that is fine. The one question with respect to the protection of your colleagues is that if at some point in the near future you begin to experience declining enrolment, you are correct that your teachers are at risk with the other teachers coming across, because they bring their seniority.

Mr. Saari: That is why I requested it.

Mr. Davis: That is what I heard.

Mr. Chairman: Other questions from members? If not, thank you for the presentation and for bringing up those specific points for us to look at in the bill, and also for coming together like this and making your presentation together. We are now up into the 700s in the number of our presenters, and it is very nice when we can get this kind of co-operation when there is this kind of unanimity of approach. So we appreciate very much your coming together like this rather than coming one at a time to say the same thing over again.

Mr. Shea: I do not think any member of our delegation will disagree with me when I say we have found this quite an enjoyable experience and we thank you very much for hearing us.

Mr. Chairman: Our next presenter is Mr. Sutcliffe. I will give you a chance to shift around here.

Mr. Sutcliffe is from the Federation of Catholic Parent-Teacher Associations of Ontario. You have watched us perform and other people perform before us in the past. Basically, we just let you take us through your presentation any way you would like, and then we will open it up to questions after that.

FEDERATION OF CATHOLIC PARENT-TEACHER ASSOCIATIONS OF ONTARIO

Mr. Sutcliffe: Mr. Chairman, may I begin by saying I feel rather lonely here right now.

Mr. Chairman: That is right; after a massive group like that. If you want one of the members to come and sit beside you I am sure we could arrange it.

Mr. Sutcliffe: The Federation of Catholic Parent-Teacher Associations of Ontario speaks for the parents who support some 800 English-language Roman Catholic separate schools in Ontario, for their 430,000 students and for the teachers in those schools. The federation is organized at the school, school board and provincial level and serves as a means of communication and stimulus in education matters.

Our objectives, as stated in our bylaws, are as follows: to establish and maintain effective communication between the home, the school, the church and the community in promoting the Catholic education of the children; to create a greater appreciation of the Roman Catholic faith within the separate school system; to encourage the maintenance of Catholic standards of family life; to provide a means to all supporters of Catholic education whereby they can achieve a better understanding and appreciation of the Catholic educational process; to uphold the teachings of the Catholic church in all matters affecting the Catholic education of children; to provide and moderate in an impartial manner the opportunity for members of various groups in Catholic education to come together in a Christian atmosphere to discuss and resolve, where possible, differences that may arise.

The federation is therefore understandably very interested in Bill 30. At the outset, we state that we are in principle in favour of Bill 30, although we have some major concerns which we will elaborate on later.

It is our view that Roman Catholic separate school supporters in Ontario have been dealt with unfairly for the past several generations. We have no intention of taking you through the history of education in Upper Canada, what happened at Confederation, how Ontario Roman Catholics came to be denied support for their post-elementary schools and the celebrated Tiny Township case, because we are sure you are well aware of this background from your own reading and from many of the previous presentations to this committee.

We submit however, that it would be illogical to assume that section 93 of the British North America Act was meant to guarantee to Ontario Roman Catholics a school system limited to the level of education in existence at that time. It was certainly not assumed to be the case for the public

school system. We believe the intention was to ensure equality of education to the Catholic members of Ontario society in a separate but still publicly supported school system which they would control and to which their education taxes would be directed. Hence when public support for higher grades came about, it should have been made available to both publicly-supported systems.

Nevertheless, rather than dwell on what did or did not happen in the past, we will concentrate on the existing situation, how it has shortcomings and how we see Bill 30 as a means to rectifying that situation.

There are many inequities in the present arrangement for secondary school education in Ontario as far as Roman Catholics are concerned. We see the major ones to be as follows:

1. Although restrictions on Catholic education in Ontario were considerably eased with the implementation of the Robarts formula in 1966, Roman Catholics with children going into Grade 11 have still had to face an unpleasant dilemma. Should they transfer their children to the public high school system to which they are compelled to pay municipal taxes and to which they paid taxes while their children were in grades 9 and 10 of the separate school system, or should they send their children to a Roman Catholic private school and pay at least \$500 per child per year for tuition, and in some schools it is as much as \$1,200, and still pay municipal taxes to the public secondary school system?

2. The existing arrangement has truncated the separate school system at the end of grade 10. Since that system could not offer education up to the end of grade 13, this has meant some Roman Catholics were reluctant to send their children to grades 9 and 10 in the separate school system and some probably even decided not to send their children to elementary grades in that system. Why, they would reason, should they start their children in one system, only to have to switch them later on to another? Children have enough problems in the educational system which many parents have difficulty in understanding, so why add to the complications for both children and parents?

3. To date, the separate school system has been deprived of access to all taxation on municipal property assessment for secondary school purposes, as well as most commercial assessment for the elementary panel. In the meantime, the public school system has had its revenues supplemented by property taxes from

persons whose children it has not educated, and does not and will not educate.

Admittedly the provincial education grants are now, but have not always been, sufficient to provide close to 100 per cent of the cost of academic courses in grades 9 and 10. But the percentage for the cost of commercial and technical courses has been much lower. At this point, it should be noted that revenue to school boards from taxation based on assessment is a more certain source of revenue than grants which are subject to the wishes of the provincial government and its frequent desire to economize.

Thus the Roman Catholic school system in Ontario has been like a boxer who is compelled to compete in the ring with one hand tied behind his back.

4. Another complication of the present arrangement for Roman Catholics in relation to grades 11 and above is that the private Catholic high schools have tended to become elitist, in both the best sense of the word and its worst sense. In its best sense, the schools have had to strive for academic excellence in order to compete with a better-funded public high school system with their wide variety of programs. In its worst sense, the fees which the schools have been compelled to charge in order to produce that excellence have tended to eliminate the children of financially disadvantaged families.

10 a.m.

Teaching costs in Catholic high schools have risen steadily during the past two decades with the decline in religious vocations. Lay teachers paid at the going rate have almost entirely replaced, in the classrooms, the female and male clergy who were paid much less for their services.

Many parents, nevertheless, have sacrificed in order to maintain their children in a Catholic education environment in grade 11 and above, and in some cases the students have put themselves through these grades by working at summer jobs. Meanwhile, public high school students could avoid working and paying for their education until they reached university.

Although we recognize the religious value of sacrifice, we wonder to what extent the fact that Catholic parents are paying for the education of their children in grades 11 to 13 has drawn away from their ability to assist them financially in attending university.

The authors of Bill 30 are to be complimented on achieving two objectives: completing the separate school system till the end of high school and safeguarding the public school system. The

Minister of Education (Mr. Conway) stated in introducing Bill 30 in the Ontario Legislature that the distinctive mission of the Roman Catholic separate school system must be maintained. Therefore, the bill, in addition to ensuring the provision of secondary school education in full conformity with Ministry of Education requirements, must respect that mission.

There are a few changes to Bill 30 which we would suggest in order to ensure the continuation of the Catholic quality of the separate school system. According to proposed subsection 136(4), teachers and supervisory officers being released from the secondary panel of a board of education, because of an outflow of pupils to a local separate school board, will have priority in hiring over teachers being released from that separate school board. We would prefer to rehire our own staff.

In hiring from other boards we would prepare the following as a possible order for hiring, subject to qualifications and personal suitability: (1) Roman Catholic teachers from private high schools being taken over by separate school boards; (2) Roman Catholic teachers from boards of education; and (3) non-Roman Catholic teachers from both types of school.

We would also prefer to have the general ability to select teachers from a board of education according to their personal suitability to our system, for example, by giving priority to Roman Catholic teachers whose lifestyle corresponds to the morals and ethics being taught in our schools. Subsection 136(19) also refers to this.

We would emphasize that the Catholic environment of the Roman Catholic separate school system must be maintained. Bill 30 already has enough provisions to safeguard the rights of non-Roman Catholic students who enter the system from the public system and the rights of teachers transferring into the system from boards of education.

We would not want to see amendments that would jeopardize the distinctive character of the separate school system and make it a Tweedledum/Tweedledee indistinguishable counterpart of the public school system with separate school boards functioning as mere components of "superboards." It would be a tragedy if, after proving its vitality over all the years of its existence since before Confederation, the Roman Catholic separate school system became a pale shadow of its former self through broadening amendments to Bill 30, which some of its detractors may propose.

We have proposed to the planning and implementation committee in our brief, dated February 1985, that the government of Ontario create a staff post of assistant deputy minister for separate schools. The incumbent of such a post would have the ability and the time to ensure that the changes necessary to both the public and separate school systems are made in an ordinary manner. While Bill 30 has removed much of the concern we had in this regard, we still feel there would be considerable value in the creation of such a position, if only on a temporary basis.

Bill 30 is a natural, though long overdue, evolution from the rights accorded to Roman Catholic separate school boards under the British North America Act. The bill is a reasonable compromise. On the one hand it provides safeguards to the public school system, its teachers and pupils, although removing its monopoly and reducing its favoured financial situation in the secondary school grades, particularly in grade 11 and above, thus requiring some boards to economize. On the other hand it establishes justice in completing the separate school system.

There is no need for opponents of the bill to regard the addition of grades 11 to 12 and Ontario academic courses to the separate school system as the beginning of the breakup of the public school system. We do not recall similar consternation when funding was implemented for grades 9 and 10 in the separate school system some 20 years ago and we see no reason for alarm now. To read what some have been writing, one might almost assume that the Roman Catholic separate school system is something divisive that is only now springing up, instead of being an integral part of Ontario's education scene since before Confederation.

Further, we believe Ontario has been enriched, as have other provinces and nations, by this dual character of its educational system and by diversity in general. We do not believe students should come out of the educational system as identical as cookies coming out of a machine. We believe diversity brings a distinct advantage to a nation's culture.

We should consider the words of the late President John F. Kennedy to the graduating students of the American University of Washington on June 10, 1963: "Let us not be blind to our differences, but let us also direct attention to our common interests and the means by which those differences can be resolved. If we cannot end now our differences, at least we can help make the world safe for diversity."

The year-at-a-time implementation proposed in section 136g of Bill 30 should facilitate change. Although complete adjustment to the new situation of secondary school education in Ontario may perhaps extend beyond the three-year implementation period, we are certain solutions will be found. Additional costs will be involved initially, but optimum use of existing facilities will come about in about five years' time.

The main element needed during the transition period is goodwill. Although we remain concerned for the maintenance of the Catholic qualities of the separate school system, there is every reason to expect success and a further strengthening of Ontario's educational system as a whole to result from the implementation of Bill 30 as it now stands.

On behalf of the federation, may I express the hope that the committee members will be blessed with wisdom as it prepares its recommendations to the Legislature.

Mr. Chairman: Would you give us an idea of how the federation and its membership works? Does every Catholic parent-teacher association, many of which we have met going around the province, have automatic affiliation with the overall provincial group? Do they have to buy membership in it? If so, how many of the 800 English-language schools are represented regularly through your federation?

Mr. Sutcliffe: One of the principles we have established for many years now is that the federation is a volunteer association and affiliation is voluntary rather than compulsory. For that reason, quite a number of local school units are not affiliated with the federation. We hope eventually they will all be affiliated, but that is not the case at the moment.

Mr. Chairman: How does it work at the moment? You estimate there are 800 English-language separate schools. How many are affiliated with you in 1985?

Mr. Sutcliffe: There are probably only about 200 to 250.

Mr. Chairman: Although you have taken a position we have heard enunciated by some local parent-teacher groups around the province, it is at odds with those presented by other local groups. That is why I was asking. We have seen a fair range of concern or lack of concern about the question of the catholicity of the system and specifically about teacher qualifications and that kind of thing.

We have seen a number of groups not wanting the extra kinds of discriminatory rights, if I can put it that way, in the prioritizing of teachers as you have indicated. I guess that was answered by the fact they are not all affiliated. Was your brief put together through discussion and a vote amongst the 200 affiliates or was it something taken by the executive?

Mr. Sutcliffe: It was taken by our board of directors, which represents all regions of the province.

10:10 a.m.

Mr. Offer: Thank you for your brief. I have a question with respect to a couple of statements I am having difficulty in bringing together. On page 7, at the bottom, you state Bill 30 has enough provisions to safeguard the rights of teachers transferring into the system, which I understand. But above that, you ask for certain amendments to be made in hiring from other boards—and this is carrying on from the chairman's remarks. You ask for a certain hiring list, for example, of teachers from private high schools which are taken over by separate boards. I wonder if you could expand on that. In the event your proposal 16 were taken, would your proposal 18 still be true?

Mr. Sutcliffe: I hope some way would be found whereby they would both be true. In paragraph 16, we are expressing a preference. There are many Roman Catholic teachers in the private high schools now who have dedicated their lives to the teaching of people in grades 9, 10, 11, 12 and 13. These people are not at the moment under the system established by law in the province. Because they have been dedicated to the schools in which they now serve, we feel they should be given some kind of priority when those schools are gradually taken over by the separate school boards. It is as simple as that.

Mr. Offer: My understanding is that the separate school would only hire those teachers it needs. It would not look at those teachers it already has but only those it may require additionally because of the implementation of full funding.

Mr. Sutcliffe: Let me give you an example. Immaculata High School in Ottawa has had a public and a private section over the past 20 years. The public section was grades 9 and 10. The private section was grades 11, 12, and 13. The teachers in the private section, we believe, should have some kind of priority as that school is developed into a separate school under the aegis of the separate school board. As grade 11 is

absorbed by the separate school board and is no longer a private school, the teachers who are already there should have some kind of priority.

I am stating a general principle. I am not stating something we want to have listed in law as hard and fast, as inviolable.

Mr. Epp: I understand what you are saying, but I have one concern. If you want the Catholic teachers in the private system to have a certain amount of priority, why would you not want the non-Catholic teachers who have taught in that private system to have an equal amount of priority?

In 16, for instance, you want the Roman Catholic teachers from the private school system who are taken over by the separate schools to have first priority. The Roman Catholic teachers from the boards of education have a second priority. Then you say the non-Roman Catholic teachers from both types of schools would have the third.

Why you would not want to give the non-Roman Catholic teachers who have taught in the private system side by side with the Catholic teachers, and obviously have been very acceptable, the same kind of priority? I am not talking about the non-Roman Catholic teachers in the public system. I am talking about the non-Roman Catholic teachers in the private Catholic system.

Mr. Sutcliffe: Generally speaking, we would prefer to see Roman Catholic teachers in the schools, but we are not opposed to having non-Roman Catholic teachers.

Mr. Epp: If you are going to accept what John F. Kennedy said about diversity, you can extend that diversity to this paragraph too, about diversity among the teachers who teach in the separate school system.

Mr. Sutcliffe: You could, yes.

Mr. Epp: I am not talking about overloading the separate school system with non-Catholic teachers. I am talking about giving a few of them who are there now the same kind of priority you were talking about giving the Catholic teachers. That is all.

Mr. Sutcliffe: That could be done, but what we are expressing in our brief is our preference. If we had the opportunity to make the list in accordance with what we believe, this is the way we would see it.

Mr. Offer: I have one further question with respect to your proposal 17, which concerns lifestyle that corresponds to morals and ethics, etc. I would like an expansion on that particular phrase, especially in the light of the possibility

that non-Catholic teachers in the public system who are declared redundant because of the implementation of the bill would be designated and possibly hired by the coterminous separate board. My concern is whether, if this teacher is a pro-choice supporter on the abortion issue, that particular personal opinion constitutes, to your mind, a lifestyle that does not correspond to the morals and ethics.

Mr. Sutcliffe: I think you know as well as I do that someone who is pro-choice is speaking contrary to the teachings of the Catholic church.

Mr. Offer: Yes, I know that.

Mr. Sutcliffe: The basis on which such a person might be accepted into the Catholic school system would be that the person would not speak about those personal preferences during school hours.

One thing we are concerned about, among others, is that in 1867 when the British North America Act was passed, we believed it was not a school system run by the Catholic Church that was established; we believed it was a separate public school system, which was meant to meet the needs of the Catholic members of Ontario society. If we are going to protect the needs of the Catholic members of Ontario's society, the person who is pro-choice and who is hired from a designated list would probably have to accept not speaking about that particular subject during school hours. Otherwise, the school system becomes other than a Catholic school system.

Mr. Offer: What if that particular teacher's personal views were known throughout the school?

Mr. Sutcliffe: I would say it would create a problem within the school.

Mr. Offer: I do have some concern at this particular point, in view of subsection 136(19) of the bill with respect to nondiscriminatory hiring on the basis of creed, which I think we have come to understand does mean lifestyle.

I would like to express to you a concern about the lifestyle of that teacher with respect to his personal life, affecting his teaching ability. I personally do not believe it affects the catholicity of the school, nor does it in any way, shape or form make that teacher less of a teacher or less of a professional.

10:20 a.m.

Mr. Sutcliffe: During the teaching of whatever subject the teacher is employed to teach, there would generally be no problem. But if that particular question of morality arose during the classroom hours, then the teacher would have a

moral dilemma, because that teacher is employed by a Catholic school system established by law to uphold the Catholic faith in the separate schools and that teacher would not be able to do that.

Mr. Chairman: That problem has been raised many times before. Mr. Epp, did you cover your question with your supplementary?

Mr. Epp: Yes.

Mr. Chairman: Mr. Allen, then Mr. Guindon and Mr. Davis. Mr. Davis, would you like a supplementary first?

Mr. Davis: Yes, a quick one. Is it now true that, in what one calls religious education or man and society in the Roman Catholic school system, teachers expand upon the arguments for both pro-choice and pro-life?

Mr. Sutcliffe: I believe the teachers may expand upon it, but they do not recommend pro-choice.

Mr. Davis: That is not my point. My point is that they do expand upon both arguments, for and against. Therefore, if the teacher who was pro-choice expanded upon both values but did not give an indication at that point of which one he chose—or even if he did say he was pro-choice—it seems to me that in that school's jurisdiction what they call the ambience of catholicity would still pervade in the final resolution of that issue.

Mr. Sutcliffe: What we are saying is that given the choice, we would prefer someone who supports the pro-life stand.

Mr. Davis: Given the choice, would you also want someone who was not a person who believed in liberation theology?

Mr. Sutcliffe: I cannot answer that question. I am not familiar with all the ins and outs of liberation theology.

Mr. Chairman: That is one of my favourite questions.

Mr. Allen: By way of supplementary to the last two or three questions, as I look over these numbered sections relating to hiring, I see an overriding concern with the protection of catholicity. What I do not see, but I hope would be assumed in it all, is concern for qualifications in an academic and professional sense. We have encountered Catholic boards that have told us that in some hiring choices they have been unable to hire any Catholic applicants simply because the non-Catholic applicant was far superior in qualifications.

Would those circumstances offend your application of 15 through 18, or is that be a

consideration that would be uppermost in your mind as well?

Mr. Sutcliffe: The two things will be considered at the same time. The qualification to teach mathematics, for example, is important if the teacher is to be hired to teach mathematics, but the catholicity of lifestyle is also important.

Mr. Allen: Can you see yourself in a hiring position, hiring a non-Catholic in preference to a Catholic where his qualifications to teach the subject were obviously superior?

Mr. Sutcliffe: Yes.

Mr. Allen: Thank you. With regard to number 11 on page 5, you made the most succinct and frankest statement of what is sometimes called the elitist character of some of the private Catholic high schools. I like your being up front about that. I presume in both the best sense and the worst sense in which you refer to it, your concern is to overcome that impression without losing the excellence of the institutions in question.

Does that suggest that you are not only interested in expanding the access to those schools—particularly, of course, to the Catholic community, but also perhaps to others—but you are prepared to see them adopt a broader range of programs that will bring in a much wider clientele to the Catholic schools?

Mr. Sutcliffe: We hope the Catholic school system will be able to give as wide a range of programs as the public school system now does, but with the different atmosphere that we believe is important.

Mr. Allen: Thank you.

Mr. Guindon: I have a point of clarification on Mr. Offer's first question in regard to the teachers, whether Catholic or non-Catholic, in grades 11, 12 and 13. Are you telling us that under Bill 30 they do not have the protection of being rehired?

Mr. Sutcliffe: As we read Bill 30, we see it as tending to protect the public school system's teachers who will be displaced and perhaps to a certain extent moving against the interests of the teachers who now are in the private Catholic high schools.

Mr. Chairman: This is an issue that was raised with us by some people in eastern Ontario. You mentioned Immaculata. The difficulty is the Ontario English Catholic Teachers' Association does not represent the teachers in both areas. Are those private school teachers as protected as the Catholic teachers would be in the elementary side

of things? I think that is still a valid question we have to look at.

Mr. Sutcliffe: I thank the committee again. It has been an interesting experience. I am sure you are going to find it difficult to come up with a complete solution that will make everyone happy.

Mr. Chairman: Our wisdom is burgeoning every day. It is just incredible. Watch the changes.

Our next presenters are Dr. Ken Campbell and Dr. Seidenspinner from Renaissance Ontario. Items 685, 685A and 685B have been circulated to the members.

RENAISSANCE ONTARIO

Dr. Campbell: I bring regrets from Dr. Seidenspinner who wished to attend but was unable to do so.

Mr. Chairman: That is too bad, but we are glad you could be here. The way we have been operating is to have you present your brief in any way you like and then open it up for questions following that.

Dr. Campbell: That is fine. Our brief is entitled Equal Justice for All.

On March 28, 1974, at the launching rally of the Renaissance movement for renewal in public education, the keynote speaker, Mr. Larry Henderson, the distinguished editor of the Catholic Register, challenged the nearly one thousand persons who packed the Milton District High School for that event by saying, "Parents, get the education of your children back into your hands or you'll lose your children."

It was on that note that Renaissance began a crusade to restore to parents the exercise of a most fundamental human right as articulated in the United Nations Universal Declaration of Human Rights, article 26, "Parents have a prior right to choose the education which shall be given to their children." That right has been increasingly and systematically violated by the government of Ontario over the past three decades.

At Christmastime 1951 the trustees of Cherrywood Public School, then situated midway between Pickering and Markham, approximately at the end of the now abandoned dream for a Pickering airport runway, asked my sister who had been teaching all eight grades in one classroom until then whether her brother would be available to teach grades 1 to 4 while she taught grades 5 to 8, so the school could be divided into two rooms after Christmas.

They made that request with the observation that even if Ken was only 17 and had just graduated from Whitby High School, they appreciated the Christian values to which they knew my sister was committed—they assumed or hoped her brother shared those commitments—and there were some considerations more important than academic to which they gave priority in the public school classrooms serving that country community.

What they were affirming was the second principle on which Renaissance, as a consumer advocate movement, has based its crusade; namely, education is primarily the transmission of values from one generation to another.

However, the government of Ontario in its educational policies since 1950 has been on a trend-line in violation of these fundamental parental rights and educational principles. Under the leadership of former Premier William Davis, while he was serving as Minister of Education in the Robarts government, the administrative control of the local public school began to be transferred by government initiative from the community of parents served by the system to a centralized structure serving, and increasingly controlled by, a bureaucratic élite.

10:30 a.m.

That revolution was accomplished with the benefit of sufficient cosmetic democracy to mask the ugly totalitarian, antiparent, antifamily, antidemocratic reality that had been cleverly sold in an attractively wrapped package to a trusting Ontario public.

Packaged and marketed with visions of magnificent new centralized educational facilities, the fundamental principles of democracy, human rights and educational integrity in a democracy were grossly and systematically violated until the same bureaucratic instinct for domination that is the hallmark of the monolithic educational system serving totalitarian states had incredibly been imposed on an unsuspecting and gullible free society.

An education professor of Simon Fraser University, Donald Erickson, finds it ironic that a nation suspicious of the evils of monopoly, particularly in the insidious guise of socialism, should have an education system offering no choice to its customers and run by a bureaucratic élite. He said, "Governments have usurped the role of parents in education and are now acting as super parents, imposing their own idea of what is responsible adulthood and a good society. This is an almost terrifying invasion of individual liberty."

In his analysis of over 20,000 submissions and briefs received by the Renaissance commission on the family conducted by child psychologist Dr. Blair Shaw from coast to coast in Canada in the Year of the Child, 1979, Dr. Shaw found the most dominant note of concern expressed by parents over the fulfilling of their parental responsibilities was the interference of government agencies in their family life. No agency, his studies concluded, interfered more with and disturbed or influenced the family more negatively than did the public school system.

Moreover, as is well documented in the accompanying brief prepared and presented to the Ministry of Education in Ontario by Dr. Ken Davis, then chairman of Renaissance Ontario and chairman of the faculty of history at the University of Waterloo, we find public education in Ontario's late 20th-century, pluralistic society still attempting to impose a structure inspired by Ryerson to serve a simplistic, Catholic-Protestant, mainly rural, Ontario. It is a horse-and-buggy educational structure the government seems determined to chromeplate for continuing service in our "401" pluralistic society.

Let me read excerpts from Dr. Davis's thoroughly researched and scholarly analysis of the changing perspectives in Ontario education which have made obsolete traditional attitudes towards public education. You have a copy of that brief prepared by Dr. Davis entitled *New Problems and Changing Perspectives*.

He begins with historical background, "Traditional, orthodox Christianity, both Catholic and Protestant, has always maintained that it is a total world-life view encompassing man, nature and God." He goes on to note it has also been recognized that it is a parental obligation and responsibility to transmit the values of that world view to their children.

Under section (b), "19th-Century Canada—A Unitary Society," he says for the most part in manners and morals there was a consensus, be it Catholic or Protestant, that pervaded in our society. Then under section (c), "The Protestant Dream and Public Education," he goes on:

"Protestant support for a pattern of public education...was never conceived as support of a secular system. Public education was to be nondenominational, leaving distinctly denominational and doctrinal matters to the churches, but yet thoroughly Christian, biblically Christian...re values, morality, social norms, example, etc.

"On this basis most Protestants maintained that such a public system would serve even

Roman Catholics, therefore, if more was wanted ... they should be totally privately funded. Had there been any notion of public education becoming secular and anti-Christian, they would have insisted on traditional patterns of public support for denominational Christian schools."

Dr. Davis pursues that and then goes on to II, "The New Situation: Pluralism":

"Canadian and western societies have in the 20th century moved in directions totally unanticipated by most of our Protestant forefathers when they supported Canadian public education. Canadian society has changed from one of substantial social, ethical and religious unity to one of social, ethical and religious pluralism. Within an even larger complexity, these elements directly affect educational policy."

He notes, first, that "Protestant religious unity is gone," and makes a very clear distinction between liberal Protestantism, reflected in the Canadian Council of Churches, and historic evangelical Protestantism, primarily associated with the Evangelical Fellowship of Canada. Second, with the increasing immigration from non-Christian lands, you have other religious or secularistic political faiths.

Third: "As a result of technology, urbanization, industrialization, affluency and materialism, western society has seen the rise of and has been strongly influenced by secularism. It has become the major rival faith to historic Christianity for the mind and values of western society."

Fourth: "Affluence, Christian disunity, social pluralism, rising secularism...has been given a dominant voice in recent changes in educational philosophy and practice. The philosophical and psychological premises of the Hall-Dennis report are anathema to historic biblical Christianity. 'Progressive' philosophy, permissiveness and moral relativism have prevailed while a growing number of citizens have moved from uneasiness to concern, anger and alienation.

"The maintenance of a monolithic public education system and pattern by trying to adapt to, and satisfy a thoroughly pluralistic society by the advocacy of a sometimes bland and pseudoneutral, but increasingly a militantly secularistic, education system is creating a crisis of major proportions in this province which will significantly alter political patterns. Those most concerned have traditionally largely supported the government now responsible for rigidly refusing to adjust to the new patterns in a satisfactory way."

The degree to which that observation has been validated is the fact that this statement was made nine years ago and there has been very little shift in nearly a decade.

He goes on to III, "The Seriousness of the Present Crisis":

"For committed evangelical Christians and those sympathetic to their values, and even others who see the principle of educational pluralism in a clearly pluralistic society as an obligation on a democratic government, the present educational situation has reached crisis proportions."

He notes the emergence of a rash of private Christian schools because there are non-Catholic Christian, Jewish and other faith communities that share equally with our Catholic neighbours a determined commitment to educate their children according to their values.

Dr. Davis suggests in conclusion three alternatives:

1. A full set of alternatives within the system.
2. Carefully developed options in terms of curricula, reading material and social practices, including certainly manifesting a much higher level of toleration and respect from all personnel and avoidance of psychological bullying prevailing in all schools.

3. The most preferable alternative, along with the maximum extension possible of sensitivity and alternatives to all minorities in the present system, the granting to all parents of the right to choose either public or private alternatives without excessive economic penalty.

I will leave that and return to the flow of this line of thought in our brief.

Surely the educational challenge to which this government ought to be addressing itself is how to structure a public education system to serve Ontario's contemporary pluralistic society. Instead, it would seem we are dealing with the problems of trying to plan a shotgun wedding for a well-impregnated system by the spontaneity of the previous Premier in a circumstance that was not much civilized by the democratic processes.

The same person was Minister of Education when the process was begun of removing parental control over the educational destiny of their children in the local community school by centralization. It put in place the monolithic system that is a bureaucratic dream but a parental nightmare. As is increasingly apparent, it is also a social and academic failure. This same man climaxed his political career as Premier by decreeing the most socially divisive and reaction-

ary policy for the funding of a universal educational system serving a pluralistic society.

The Davis decree reflects a determination to perpetuate the horse-and-buggy vision of a simplistic Protestant-Catholic division of 19th-century Ontario. There were accompanying ancient injustices, the ordering of full funding for only one faith community, the one that happens also to be the largest religious voting bloc in Ontario. At the same time, it is true, the Shapiro commission was established to explore the possibility of funding the second-rate citizens who belong to non-Catholic Christian, Jewish and other faith communities.

On September 3, 1974, the then Minister of Education, the Honourable Thomas Wells, responded to the call for a free pluralism contained in the nonsectarian Renaissance brief by citing the historic injustices enshrined in the Confederation documents. He responded to this call from the same office where he had received a Renaissance delegation with our first brief. The same mindset apparently does not apply to the status of women, for example, but obviously it does have validity when considering the status of non-Catholic Christians, Jews and members of other faith communities.

10:40 a.m.

Furthermore, Mr. Wells emphasized that this issue was buried by Mr. Davis's landslide election victory in 1971. In response, we pointed out to him that the educational issue in the 1971 election had not been justice for all in the equitable distribution of educational funding to all parents. Instead it was a primitive, self-serving pitting of the Knights of Columbus against the Orange Lodge.

In his appearance before this committee last Friday, however, Mr. Davis explained how he had recognized that he had been wrong in 1971 and he told of his repentance. We await evidence that this repentance will be reflected in a changed heart towards any except the largest religious voting constituency. It is to be hoped that the recommendations of the Shapiro commission will respond positively to that injustice and that this was Mr. Davis's intent in striking that commission at about the same time as the full-funding decree was announced.

The policies to which his repentance have led him to date and his approach to the decreeing of those policies have caused some responsible voices to be raised in some legitimate questions.

First, one correctly wonders, no matter what his public disclaimers, to what extent the blessing of a prominent Roman Catholic leader

on the Trudeau-Davis constitutional package, though it denied protection for the rights of the most helpless Canadian, the unborn, was part of a mutually satisfying tradeoff of corporate interests decisively affecting the Premier's deathbed repentance—careerwise, that is—regarding full funding for the separate school system.

1. It is evident that the Premier's decree was not a commitment to justice for all, which authentic Christian repentance would have produced, in policies pertaining to the funding of public education. Rather than correct injustice, it perpetuates the injustice that singles out one group for enormous economic benefits denied all other faith communities who believe just as deeply as do Roman Catholics in the education of their children according to their religious convictions.

2. It was not the product of a democratic process but rather a classic example of the Trudeau-Davis style of government imposed on the governed rather than government by the consent of the governed.

To the extent to which the former is most closely identified with *Mein Kampf* and the latter with *Magna Carta*, the comparison of such politics by a Canadian churchman to Hitler, while intentionally startling, was not intellectually, morally or historically without substantial validity. That this churchman's comment should be identified as a significant factor in the defeat of the last Ontario government ought to be cause not for celebration but for sober reflection and reversed policies by the two other political parties.

The people of Ontario are demanding justice for all, equal justice under the law, and are increasingly outraged over the growing arrogance demonstrated by such disregard of the civilized democratic process, which is the heritage of a free and responsible society under God, whether in such full-funding legislation decrees by the previous Ontario government or in the protection by the present government of a criminal brazenly breaking the law on Harbord Street in clear violation of Canada's Criminal Code. That criminal could be stopped tomorrow by bail conditions imposed by a responsive and responsible government.

All of this is not to say that Renaissance recommends that Roman Catholic parents be denied full funding for the schooling of their children; quite the contrary. It has been the Renaissance position from our inception more than a decade ago that the government ought to

legislate a mechanism that would enable all parents to send their children and direct their education taxes to the school of their choice. The great moderate majority of Ontarians, regardless of their religion or irreligion, are fair-minded people who are prepared to support such enlightened legislation.

Let me read the statement of the Renaissance position on this issue from excerpts of an open letter to Pope John Paul II, published in the *Toronto Star*, Saturday, June 16, entitled *A Father's Day Appeal for Justice*. "To: John Paul II, 'The Holy Father' of the Roman Catholic Church. From: An Ontario Father of Five."

Rather than take time to read it now, I draw your attention to it in an accompanying brief, or at least the analysis of the brief presented to the Shapiro commission, entitled *A Call for Economic and Social Justice in Ontario Public Education*. Here are just a couple of highlights:

"Ontario's government violates the most fundamental human rights. Parents have the right and responsibility to direct their children and their educational taxes to the school of their choice.

"Re: the proposed extension by the government of Ontario of the legitimate educational rights of Roman Catholics while denying all the same legitimate rights to all non-Catholic Christian, Jewish and other religious parents and citizens of Ontario."

Then we move down. Specifically, the Roman Catholic charter of rights of the family states in article 5:

"Since they conferred life on their children, parents have the original, primary and inalienable right to educate them; hence they must be acknowledged as the first and foremost educators of their children.

"(a) Parents have the right to educate their children in conformity with their moral and religious convictions, taking into account the cultural traditions of the family which favour the good and the dignity of the child; they (the parents) should also receive from society the necessary aid and assistance to perform their educational role properly."

Item (d) says, "The rights of parents are violated when a compulsory system of education is imposed by the state from which all religious formation is excluded."

A petition accompanying the 1976 Renaissance brief noted above is as timely and pertinent today as it was then in response to the issue before us today. That petition is printed on the back of the brief, and we draw your attention to

it. Essentially, in view of what we have done before, we have just moved and we have petitioned the government: "to enact legislation which would liberate the public educational system from the repression of its present narrow secularism and the tyranny of its monolithic structure; and provide instead a pluralistic education system compatible with the character of contemporary Canadian society, capable of responding to the needs of a multicultural society and of dynamically fostering a humane Canadian mosaic rather than a depersonalizing US melting pot or a Maoist totalitarianism. In a word, we are calling for a public education system which provides liberty and justice for all."

Let all the political parties of Ontario unite in a commitment to provide such justice for all, legislated in response to the will of the governed through the democratic processes. The tearing and dividing of the fabric of Ontario's pluralistic society created by this unjust and undemocratic Davis decree will instead be remembered as an historic moment in the history of our province and nation when a decisive reversal in the trend to totalitarianism was effected and a renaissance of dynamic democracy was begun with its commitment to government by the consent of the governed in the pursuit of justice for all.

Early this year, when we presented our Renaissance brief to the Shapiro commission entitled *A Call for Economic and Social Justice*, a letter accompanying a copy of that brief was mailed to Premier Davis. That is found just inside the back of this brief.

You will note the third paragraph: "In the exercise of a good conscience in fulfilling our duties as Christian parents and citizens, we finally chose to give our residential property to a religious charity rather than either to pay the educational portion of our property taxes—for the propagation of the anti-Christian secularism in the public schools—or to allow our property to be expropriated.

"That has been the strongest civilized statement which we were capable of making on behalf of that multitude of parents noted above who suffer the consequences of the present discriminatory Ontario educational policies."

Let all the political parties of Ontario unite in a commitment to provide such justice for all.

Finally, let me conclude by reporting to this committee on something of the social tensions created by the determination to perpetuate rather than redress the injustices of the policies of the past in regard to the funding of education in Ontario.

Early this summer a couple approached me as their pastor with an enormous parental problem: the prohibitive costs of providing for the schooling of their two children in a Christian alternative to the public school system, supportive of the faith commitments of the home. They were facing costs in excess of \$500 per month for their two children to provide the same education for their children in the Christian school of their choice that the full-funding legislation under consideration provides at no cost to their Roman Catholic neighbours. Is there any way that such an unjust policy can breed anything but social strife?

Our response was to seek to ascertain to what extent others shared their anguish and whether it was possible for an affordable Christian alternative to be provided by the beginning of the school year this fall. The result has been the establishment of the Halton Heritage School as a teaching ministry for which there is joint responsibility shared by the congregation I serve as Pastor, Emmanuel Baptist Church, and a 20-year-old interdenominational youth ministry I serve as founder-president.

Because our congregation has made its Christian educational facilities available to this teaching ministry at no charge, and because tuition costs are covered by the voluntary contributions of parents and others, we have been able to provide a first-rate Christian educational program at a most affordable cost, and no one has been denied access because of economic limitations.

It seemed particularly inappropriate that opposition from neighbours to this Christian educational alternative, for 25 to 30 youngsters up to grade 8, should be voiced by a spokesperson who belongs to the faith community singled out by the unjust legislation under scrutiny by this committee to receive full public funding for its constituency.

It was the opinion of this spokesperson that parents willing to pay for the education of his children by their tax support of his religious school, as well as paying for the schooling of their own children in the freely provided Christian education facilities of our church, ought to be denied such a privilege; in this instance on the grounds that there were enough schools already in the neighbourhood and the exercise of this church teaching ministry violated the definition of "church" some of the neighbours wished to impose on us in keeping with their interpretation of a zoning code.

Clearly, the religious persecution experienced by these Christian parents is the same in kind, though obviously not in quality, as that experienced by Christian parents in Russia because of the same government injustices. God deliver us from such repression in Ontario.

Thank you for your attention and time to hear our concerns in this matter.

Mr. Chairman: Thank you, Mr. Campbell, for taking the time to come down. Mr. Epp wanted to lead off.

Mr. Epp: Mr. Campbell, I appreciate your views on this matter.

I wonder if you would clarify more precisely for me and for the people here what you would like to see in the educational system. I am somewhat confused. You are supporting the public system and then you are not supporting the public system; you are supporting the separate school system and then you are not supporting it. I am wondering exactly where you are going here.

10:50 a.m.

Dr. Campbell: I have covered a decade of our own metamorphosis, I suppose, and from the first we have called for a responsiveness to pluralism by the three recommendations contained in the 1976 brief. I think the recommendations on page 4 and the concluding comment on page 5 stated our set of options. We were seeking first, "a full set of alternatives within the system"—that was 10 years ago and we were commending that route—or second, "carefully developed options in terms of curricula, reading material and social practices" and so on in all schools, whether other alternatives existed or not.

The brief notes that: "...this will no longer be enough in itself, nor easily administered and monitored. Both items 1 and 2 may be most difficult to make adequately effective because there are now numerous minorities calling for such consideration."

The third and most preferable alternative we have consistently commended as the most democratic response to pluralistic reality is some form of mechanism for providing economic justice for all, such as the voucher system or some variation on that theme.

Various routes can be pursued along that line that would keep in place the integrity of the separate school system, the viability of the public school system and would provide a little healthy competition, which in our opinion is about all the public school system needs to get it back to its once moderate position of leadership in North

American public education. At the same time this would provide the breaking of the most crushing burden on parents who seek an alternative to the public or separate systems.

Mr. Epp: To what extent are you suggesting that the government support private religious schools? I guess that is what you are saying.

Dr. Campbell: Given the premise that education is not to be primarily a parental responsibility, government involvement ought to be to the extent to which government may aid the parent in achieving responsible curriculum objectives without imposing any sort of philosophic bind upon the parents, and currently that is not what is happening.

I speak tomorrow night in Peterborough to concerned parents in that community who believe Margaret Laurence ought to write books and sell books, but who are grossly offended by her vivid verbal description of sexual intimacy being required reading or even as recommended reading in a school where their children are being educated. They are currently forced to be treated almost as reactionary dodos. They have encountered a great deal of psychological bullying, simply because, with integrity, they have their value system and someone else is using the public school system to impose an alien value system on them. I do not think we should have the school board becoming a battleground for right and left politics, whoever wins forcing their view of the universe on the portion of the community that does not agree with them.

As I understand it, Dr. Shapiro himself is considering the voucher system and has given some public comment about that as one route that would allow the parents to choose, without economic or social penalty, the education they prefer for their children, and would allow educators to pursue their careers professionally in an environment where they do not have to choke, where they themselves can be dynamically authentic in the classroom because they are functioning in a philosophic context that is shared by the parents and themselves.

Mr. Epp: If you were to open up the system as you suggest, have you ever considered the implications for the public system and the investment the public has in that system and the benefits that now accrue to the children being part of it?

Dr. Campbell: Yes, we have given it great consideration. It goes without saying that the recommendation along the line that we have suggested has been under intense scrutiny in other jurisdictions for some time. In some places

it has been in place. In areas where it has been in place, there has been a tendency, as I have suggested, for a certain degree of healthy competition to emerge.

My own assessment from 11 years of rather total immersion in seeking to contribute to the betterment of the public school system in Ontario has been that it suffers from what any monopoly suffers. The quality of the product goes down, the price goes up and the arrogance of a small elite to control it becomes insufferable. I think a little bit of competition would be to the benefit of all the public.

Mr. Epp: I am not sure whether a small elite control it. Trustees are elected at large by the public school supporters and the people who are "bureaucrats" within that system are appointed. Often there is competition within the group to get those positions, whether it is the director of education or whatever it is. The policies and programs are developed over a period of time after consultation with not just a few people but hundreds—sometimes thousands—of people.

Dr. Campbell: I appreciate that and I appreciate this probably is not the place to elaborate on that. That is another day and another long hour—

Mr. Epp: I am not sure we have an unsuspecting and gullible free society or gullible public out there.

Dr. Campbell: I think the Hall-Dennis report particularly was a matter of packaging and marketing a bill of goods. Really it was very difficult for the public to cut through and expose it. It is very difficult now, frankly, for there to be a sharp critique done of such a program as moral values education, for example. It is difficult even when you do get a sharp critique, such as that of Dr. Kathleen Gow, of a system program like that.

I was just contemplating this the other day. CBC Take 30 did three rather expensive productions one afternoon in which a number of us, 25 or 30, were involved and it never was aired. It was too sharp a critique by Dr. Gow of all that was wrong with that approach. It is very difficult for spokespersons for the general public who have to live with the consequences of these fads to have much input.

Mr. Davis: Hello, Ken.

Dr. Campbell: How are you?

Mr. Davis: I thought we laid to rest the debate over values education. You had your values and the educational system had its and they were at odds.

Dr. Campbell: No. My brother and I still get along and he has just retired as a 30-year principal, somewhere near your jurisdiction.

Mr. Davis: I have a question that relates to Bill 30 and your desire for the funding of independent schools.

One thing the present Bill 30 does is guarantee the teachers' positions, even if they are non-Catholic. In the private school system, if there was public funding, would you, for example, as a person involved in that system be prepared to hire a "non-Christian" who happens to believe in pro-choice? Bill 30 requires a separate school to do so. The indication we have had, going across this province, is that they are prepared to do so.

11 a.m.

Dr. Campbell: We would be concerned about their identifying themselves openly with such euphemisms as pro-choice. We would want them to be a little more honest: if they favour pro-abortion, say so. That is to begin with. We share with Roman Catholic educators the concern for a commitment to the sanctity of life from conception to natural death. I speak for an evangelical Protestant community on that point and I assume that is a constituency to which you are particularly addressing the question. Renaissance's concerns are across the whole spectrum.

I would hold to the same position as the gentleman who occupied this chair before me, that no legislation should be put in place that would violate the integrity of an educational institution, be it Roman Catholic or be it atheist. I want to stress that. We have spoken strongly in protest over the imposition of our Lord's Prayer in schools that are government agencies, a matter of an approach by Caesar, which is both un-Christian and nondemocratic. We think that is inappropriate.

Our own position would be to call for the protection of the integrity of all educational institutions which are involved in any way in receiving economic justice from the government in terms of the distribution of educational tax dollars.

Mr. Davis: One of the qualifications in subsection 136l(19) states that a separate school board shall not discriminate on the basis of creed with respect to employment against a person designated by the public school board. Do you believe that statement?

Dr. Campbell: Do I believe that there should be no—

Mr. Davis: No discrimination based on creed.

Dr. Campbell: I do not believe the government should impose that secular religious creed on educational jurisdictions that are committed to a different creed, that is, a secular creed.

Mr. Davis: Creed means lifestyle.

Dr. Campbell: Creed means faith commitments; that is, the faith commitment of the secular fundamentalist. We must not have any discrimination based on personal religious convictions. I assume that is what is meant by it.

Mr. Davis: It also goes further than that in that it—

Dr. Campbell: Lifestyle as well.

Mr. Davis: —expands upon lifestyle. Do you believe a school jurisdiction, be it the separate school board or an independent school, should have the right to discriminate on the basis of lifestyle?

Dr. Campbell: Yes. As a matter of fact, that violates the Ontario Education Act, which requires as a duty that the teacher inculcate by precept and example with respect to religion and the principles of Judaeo-Christian morality. You had better change that. That is clause 235(l)(c), but that is currently self-contradictory.

Mr. Davis: I am aware, but you did not answer my question.

Dr. Campbell: I am answering it by pointing out there are inconsistencies.

Mr. Davis: I asked you a question and I think it is very important. Do you believe a jurisdiction should discriminate on the basis of lifestyle?

Dr. Campbell: Yes. I believe that it is impossible for education to take place without discrimination based on lifestyle. Even if the discrimination is that we do not discriminate, that is discriminating because to say “anything goes” is to discriminate. To make a judgement that anything goes, in itself discriminates against those who hold a different view. You cannot have education without discrimination. Religious or philosophic presuppositions are always there.

Mr. Davis: I am trying to deal in a specific area because what you are, in effect, asking for as you come before us is the support of the separate school legislation as outlined in Bill 30 with the intent—and it has been the policy of your organization since your conception—that the government should also fund independent schools.

Dr. Campbell: That is right.

Mr. Davis: In the process of the funding of the separate schools, one of the pieces of legislation

has to do with nondiscriminatory practices that they now have the right to exercise in their educational system, based on creed or lifestyle. That responsibility will be taken away from them, as I understand Bill 30.

Dr. Campbell: Yes, I am opposed to that.

Mr. Davis: You are opposed to it?

Dr. Campbell: Yes. I support the position of the gentleman who sat in this chair prior to me, which I think is generally the position of Catholic leadership on this question, who see the danger of exchanging the integrity of their distinctive Christian faith for a secular one.

Mr. Davis: You would want funding to the independent schools based upon the right of discrimination in respect to hiring and I would assume from that program as well.

Dr. Campbell: Of course, it can be phrased in different ways. What we are saying is that, in keeping with the fundamental principles of article 26 of the United Nations' Universal Declaration of Rights, the government provide legislation which would enable parents to send their children and direct large groups of tax money to the school of their choice, obviously maintaining integrity all along.

Our position is to resist government intrusion into the flow of accountability from parent to child through a teacher in loco parentis in the classroom. I do not care how you cut it along the line, our commitment is to guard parental rights.

Mr. Davis: The process of discrimination is against the Charter of Rights. From what I hear you saying—and I want you to clarify it because it will affect how we deal with this piece of legislation—you believe that in a pluralistic society, some jurisdictions that are publicly funded should still maintain the right of a discriminatory kind of hiring practice?

Dr. Campbell: Yes.

Mr. Chairman: Thank you. That was very useful.

Mr. Allen: Obviously, it was not Dr. Campbell's intent to get into Bill 30 in detail. I will not press that question because I would like to hear some further comments about them in detail in writing, at some point, if he has them.

We all know that education in a pluralistic society is difficult. We all recognize there are immense problems with bureaucracies that have been created in our time and in the large corporations that, on the one hand, profess to be devotees of private enterprise, but in their own workings are not. We know we have those problems in our society. Many of us obviously

want to respond to that situation in as helpful and valuable a way as possible in terms of our traditions.

What disturbs me in some measure in your brief is a confusion between a system wrestling with that problem, on the one hand, and trying to deliver quality education in the context of it. I hear principals, ministries and teachers talking about role modelling; the importance of the teacher having those values; and the teacher being someone whom children can relate to, develop and grow from.

I see teachers fulfilling that in the system. I have found it in terms of my own children's experience in the public education system, around them all the time. Yet there appears to be a kind of wrestling in the system to deal with reality and deliver quality education in all respects.

11:10 a.m.

At the same time, your tendency is to interpret all that as somehow being analogous to what is happening in totalitarian regimes, and to be willing to subscribe to analogies and figures of speech that relate the action of a premier in a province to a judicial system, a charter, human rights code, checks and balances and the Legislature as though they were also part of a totalitarian impetus in our society. It does not really help the debate to use that kind of language.

Dr. Campbell: It is helpful to speak to those trends, to human instincts that can become institutionalized. Surely part of the exercise of this committee is to provide a civilized environment in which there can be a ventilating of such apprehensions and perceptions. We know human nature and the instincts of human nature, and there is a price to be paid for guarding principles of liberty. We must constantly be on guard to protect those principles of liberty. Our own passion, if it be so characterized, is to protect that flow of accountability of parent to child and, through whatever the management program may be, to the teacher in the classroom.

We are greatly distressed in practical terms when a trustee in Oakville replies to my concern about a teacher who was featured on the front page of the Oakville paper as entertaining at Yuk-Yuk's Comedy Kabaret: "The entertainment is not out of my teaching profession. There is no fun in that these days. It is out of my outrageous homosexual lifestyle." The two grades he was teaching in the school were identified in the front-page story.

I asked, "Are you going to do something about this violation of clause 235(1)(c)?" The trustee said, "No." I said, "I will be drawing this to the attention of the Minister of Education." "You are writing the wrong person," he replied. "Write to the president of the teachers' federation. We cannot control the lifestyle of the teacher."

What he was saying was that in loco parentis has been replaced by in loco unionitis or something of that kind. In other words, it is no longer parental rights, which should be primarily respected both in terms of the United Nations' Universal Declaration of Human Rights and in terms of the Roman Catholic Charter of the Rights of the Family. Those are pretty broad universal sweeps of the brush of liberty and the principles of freedom.

Maybe you could characterize it as a visceral response, because we do not come from the educational ivory towers with the language and all the rest in which we can hide ourselves. We come with a very instinctive response as parents and consumers to something we find unacceptable in the product. We are here in a civilized environment where good-naturedly maybe the rhetoric can be a little stronger without really reflecting negatively on the moral character of any individual or group of individuals involved.

Mr. Chairman: I have a time problem. As you probably know, there is a Liberal caucus that Liberal members have to get to before noon today and we have one other deputation coming forward. Even though I am enjoying the philosophical discussion a great deal, I would like to cut things off here. Perhaps you could pursue this in the hall together or whatever, Dr. Campbell. Thank you for coming before us. We appreciate it.

Our next group of reverend sirs is from the Inner-Synod Committee on Public and Private Education in Ontario of the Presbyterian Church in Canada, with Reverends McEntyre and Robert Spencer and Mr. B. Shaw. It is exhibit 686. I see three collars and perhaps I have the "Mr." incorrect; I am not sure. Maybe they are all reverend sirs. Reverend McEntyre, since we know you and have seen you several times, perhaps you could introduce your colleagues to us.

INTER-SYNOD COMMITTEE ON PUBLIC AND PRIVATE EDUCATION IN ONTARIO OF THE PRESBYTERIAN CHURCH IN CANADA

Mr. McEntyre: We are grateful for the opportunity to come before you as representa-

tives of the Presbyterian Church in Canada and the four synods of Ontario. We come to present to you a submission entitled *A Better Way*. There is just myself. I will have my colleagues introduce themselves. I will make some other remarks and then we will proceed with our submission if we may.

I am minister in the beautiful town of Port Perry at the Presbyterian Church there. I am a member of the Presbytery of Lindsay-Peterborough, and a representative on this committee for the synod of Toronto-Kingston. All three of us are members of the ecumenical study commission commissioned by our several synods. I have served two years as a trustee of the Durham Board of Education. I am a former teacher and principal in the public school system and have had a son in that system.

As a pastor, I have a keen interest in the schools of Ontario. The role they play is critical to the wellbeing of children and young people, and this is a central concern to all of us—all of our committee and our educators. We bring to our own studies our own measure and breadth of interest in the system.

To my right is Reverend Robert Spencer, secretary of the committee.

Mr. Spencer: My position as secretary of the committee also is related to the work I do for the Presbyterian Church in Canada, where I am the director of Crieff Hills Community. This is the lay training facility for our church and a retreat centre, a training place for church leaders, such as elders and managers. We hold retreats for couples. The two conferences that have been held by the inter-synod committee on public and private education of our church have been held at Crieff Hills, as well as other study sessions.

My responsibility as director came after several years as a pastoral minister within the Presbyterian Church in Canada. Along with my work as the director of Crieff Hills Community, I have had several international contacts and international responsibilities, not the least of which was to be present at the World Council of Churches' meeting in Vancouver in 1983. I found myself as an evangelical very much appreciative of the work that was going on there. I took part in an issue group called *Learning in Community*. I was very touched by the expressions from around the world that related to the educational endeavours we are carrying out.

I will quote one brief paragraph in regard to the report we put out from Vancouver, which went to all of the churches in the world council around

the world. It talked about formal education. It said:

"Educational institutions sometimes divide rather than build up communities. The task of schools is not to impose prejudices, a narrow vision or artificial division, but rather to develop global understanding."

That is the position in which I find myself working as a part of this committee and the ecumenical study commission. Since that time, I have also been appointed as a representative of the Presbyterian Church in Canada on unit 3 of the World Council of Churches, which is the unit on education and renewal. Recently, in Mexico, we met with church leaders from other parts of the world and were very impressed with the concerns that were going on there in that whole area. I bring that kind of an experience to this committee.

11:20 a.m.

On top of that, for the last 11 years I have been a trustee on the Wellington County Board of Education, and for two terms served as chairman of that board of education. You may note from the news there are some other pressing problems that are on my mind at this time in regard to that system. It has been a very real experience in what goes on in the education system and it has enabled me to follow through on my concern for public education.

I have also taken part in the work that has gone on in some of the studies in regard to family life education and other controversial areas, where I have found that a Christian point of view has come through with great strength and the undergirding basis of the system has had a Christian standing.

I think that probably covers things which are pertinent.

Mr. McEntyre: To my left, is the Reverend Robert Shaw.

Mr. Shaw: I am a minister of two congregations in the communities of Teeswater and Kinlough, in the presbytery of Bruce-Maitland. I am appointed by the cities of Hamilton and London to this intersynod committee.

I have been on this committee since its inception in 1981 and, as Stewart mentioned, I am also a member of the Ecumenical Study Commission. I assure you I do have a genuine concern for our public education system simply because I benefited greatly within it. I am the proud father of an infant son and I pray that he, too, will benefit as I did.

Mr. McEntyre: I just want to mention a personal sadness surrounding this particular

debate, Mr. Chairman. My two brothers and my sister, as well as my stepfather, are all members of the Roman Catholic Church. Throughout the years, growing up in my own home and community, we have always had very warm relations with the Roman Catholic people.

Certainly as a minister, I have through the years been jealous of our ecumenical relationships. This debate has brought me face to face with the principles that I, as an ordained minister of the Presbyterian Church in Canada and as a leader in that communion, have needed to face, so I want you to be aware of that.

The issues that have been addressed by many before this committee have been before our church courts for many years. The immediate issues were before our committee even prior to the announcement by Mr. William Davis.

We regret that we do not have at this table the Reverend Blake Carter of Thunder Bay, the Presbytery Superior in the synod of northwestern Ontario. He is a minister of our church, a former teacher, and has a great deal of expertise in curriculum. We do not have at this table either today, because of pressing duties, the Reverend Floyd McPhee, minister in the city of Ottawa and a member of the Presbytery of Ottawa, who is also a representative to this committee of the synod of eastern Ontario.

Mr. McPhee is very active in Ottawa in the area of pastoral care in secondary schools. Part of our interest, as a committee, is to build up a network for Christians within the public school system. He has just come from a conference at Crieff Hills, our second conference about Presbyterians and public policy in education.

A year ago we had a conference entitled Christians in Education, and we are in the process of planning two more conferences within the coming year.

That is the kind of background I would like to give you. Mr. Shaw is going to begin the brief, Mr. Spencer will continue and I will conclude.

Mr. Shaw: We thank you for the opportunity to express our views on the extension of full funding to the Roman Catholic separate schools of Ontario.

The intersynod committee on public and private education in Ontario was established in 1981 by the four synods in Ontario of the Presbyterian Church of Canada because of a growing concern among Presbyterians about the direction education has been taking in the public schools of the province.

There are those among us, albeit a minority, who are beginning to believe that it may be

necessary, in conjunction with other like-minded denominations, to consider the establishment of separate Protestant schools in Ontario. This is over against our historical support of the public schools of Ontario, and I assure you that support continues.

It was for this reason that each synod in Ontario endorsed its strong and continuing support for the work of the ecumenical study commission's brief, Religious Education in the Public Schools of Ontario, Elementary and Secondary, December 1984, addressed to the government of Ontario.

As a consequence, this will go a long way towards meeting the serious concerns held by many parents and clergy about the present public school system. However, we come before you today to express our genuine concern in regard to the intent and consequences of Bill 30 presently before this committee, and to point to a better way.

The synod of Toronto-Kingston, meeting in Lindsay, Ontario in May 1985, passed the following petition to the government of Ontario: "The synod of Toronto-Kingston of the Presbyterian Church in Canada expresses its continued support of and commitment to a public system of education in Ontario as well as its concern for the total welfare of the students. The public school system has been designed to enhance the integrity, the richness and the wellbeing of society as a whole. The Presbyterian community continues to support this holistic concept. We regret and protest the action taken by the former Premier of Ontario in announcing the government of Ontario's intention to extend the funding of the Roman Catholic separate school system without consultation with all parties whom this will affect and without full, open public debate.

"Therefore we request that:

"1. Implementation of the government's intention be delayed by at least one year to permit full public debate of the issues and implications involved.

"2. A unified board of education system at the secondary level be seriously considered under which both the public schools of Ontario and the Roman Catholic public separate schools of Ontario exist in harmonious community arrangements without needless duplication of expensive educational services. This unified board system should also be given wide powers to take under its umbrella legitimate private and independent schools or other alternative schools with strong advisory committees to safeguard any legitimate and distinctive interests, and that only so should

private and independent schools be granted funding.

"3. The government of Ontario examine the implications of, and make a clear position statement on, the advisability of continuing the current exemption of the Roman Catholic public separate school system, and therefore other parochial schools, from the employment sections of the Human Rights Code; which may thereby set dangerous precedents, and by way of example make the religion of a teacher a primary criteria for either hiring or not hiring.

"4. The rights of all public school teachers to be employed in either system be upheld.

"5. The rights of all other public school employees, janitorial, secretarial, etc., be confirmed and not prejudiced or put in jeopardy on religious grounds.

"6. There be an in-depth examination and full public disclosure of the costs of the government's proposed action to extend full funding cost to and for both systems.

"7. The government of Ontario solemnly undertake not to jeopardize special education and enrichment classes.

"8. The government of Ontario recognize the validity and place of religious education in the public schools of Ontario, being sensitive to the multicultural nature of Ontario society.

"9. The government of Ontario take into consideration the December 1984 Brief on Religious Education in the Public Schools of Ontario of the ecumenical study commission on public education as being a workable solution to many long-standing concerns in regard to guidelines and curriculum for a graded course of instruction in religious education throughout the public school system."

11:30 a.m.

Our concern with process: this is probably one of the most important social issues Ontarians have had to face in many decades. That it has tended to be socially divisive is unfortunate. Throughout this province's history men and women of courage and conviction have been divided on the issues involved for very good reason. While none of us wish to add fuel to any ancient quarrels, it is nevertheless vital in a democracy that we reason together not only about the issues but also the principles involved.

We concur with the many Ontarians who have protested the process. All previous major changes and thrusts in public education policy have been introduced only after thorough public consultation, study and review by all those concerned with and for education, especially in a

change so fundamental as Bill 30 would precipitate. In this instance there was no public consultation. In such an important change, which would radically reverse public policy, not only was the public never consulted, but also those immediately involved.

This issue is of great and lasting import to those directly in the field of education, as well as the religious communities of Ontario and other interested parties. They all have a right to be consulted. We do not deem the present process to be consultation.

We also question the matter of constitutionality and due process of law. Throughout its long history, the Presbyterian community has had a correctly jealous regard for the protection of democratic principles and the rule of law arising from our theological understanding of the created order.

Our ancestors in the faith have strenuously and correctly opposed any form of totalitarianism from government at any level. We protest this present process as being antidemocratic. A better way may yet be taken.

Mr. Spencer: In the constitutional area, the Presbyterian Church in Canada, as a member of the Canadian Council of Churches and the World Council of Churches, greatly values warm relations with sister denominations as well as with those who belong to other world religions.

Arising out of our reformed theological perspective we cherish the right of liberty of conscience for every human being. We view the church and the state as two distinct entities separate in nature, function and administration. We believe that order and law are given by God as a means to responsible common life among human beings.

We freely recognize and affirm the historical constitutional rights and privileges of the Roman Catholic community to separate schools. We applaud their high sense of religious duty toward their youth. We are grateful that the present government has referred Bill 30 to the courts in order to test its constitutional aspects, but we deeply regret that the process has been so long delayed, unduly heightening the anxieties of so many in the community. We on school boards have obviously felt this.

If the courts find the Roman Catholic community is legally entitled to funding for a secondary system of education, then the government will have a legal right to proceed. It is, however, our view that the government should do all it can to preserve, protect and enhance the present form of the public secondary school system as a unified

one. Should a constitutionally funded right not exist and if Bill 30 does not meet the requirements of the Charter of Rights, the same steps must be taken. That is we must preserve, protect and enhance the public secondary school system as a unit of education acceptable to all parties concerned, including the Roman Catholic community. We believe this to be a far better way.

Vision of an enriched secondary school system: this leads us to our own vision of what public education should be. The question arises: what kind of society do we want to create for Ontario and Canada? Do we want a society based on special privilege to one significant group within this province, leaving other groups the ambiguous and unhappy prospect of struggling to gain for themselves the same special privilege educationally?

We believe it is the responsible duty of government at all levels to work earnestly towards that mutual understanding and goodwill which lends a sense of wholeness to community life, quite apart from any competing views, sectarian or otherwise, that various segments of the community may hold. Ontario's present public secondary school system embodies within itself that gift of a diverse, multicultural pluralism that has traditionally been the meeting place of students from all segments of society, without regard for race, ethnic origin, language, religion, sex or economic circumstances.

It is this concept we wish to uphold and promote, and which we have a properly jealous desire to see greatly enriched and enhanced. We believe that at this juncture in Canadian history we are called to go down a road together, down a road that leads towards greater unity within creative diversity, giving privilege to none, creating opportunity for all.

We believe curriculum programs and the delivery of educational services should be made comparable with the very finest public and private secondary schools in the world. If the Ontario government believes, with us, in the principle that government should create privilege for none but opportunity for all, then the government is obliged to reconsider its present proposed course of action, which will grow exceedingly more costly as the years go by. There are better ways in which to use this money.

We believe the government of Ontario needs to reverse the past trend of reducing spending on education and instead take the moneys that would be necessary to bring Bill 30 to fruition, add to them and provide funds for significantly im-

proved curriculum delivery and facilities in one unified system.

The Ministry of Education should integrate studies about religion, moral values and social concerns into appropriate key curriculum areas, making the study of such subjects as English and history mandatory through the entire age spectrum from grades 9 to 12 in our secondary schools. Regularly scheduled options should be provided to students so the main faith groups represented in each school community would, in addition, receive nurture and training from teaching specialists in their own particular commonality of belief. We are referring to two different things here: the multicultural religious studies within in the curriculum and the others that are options on the outside of the curriculum.

We strongly support the content and recommendations of the briefs presented to the government of Ontario in January 1985 and to this committee in September 1985 by the Ecumenical Study Commission on Public Education, of which we are also a part. We deeply regret the lack of action by the Ministry of Education and successive Ministers of Education in regard to this vital area of education for both elementary and secondary students. We are referring particularly to doing more work in the area of religious education within the schools.

For decades, the Anglican, Protestant and Roman Catholic communions, through the commission, have been pressing the government to respond and have had no satisfactory formal answer given to the commission, in spite of repeated submissions, written and oral, over the past many years and decades.

11:40 a.m.

It is unacceptable that the Ontario government should have allowed by attrition the abstraction from the public school system of any area so vital to human experience as religious and moral studies, and then suddenly, in one fell swoop, without general public consultation, move to create what would be a publicly funded, religiously oriented, sectarian, private, parallel school system for one religious group in Ontario, leaving the other time-honoured school system vulnerable to dismemberment.

We believe the Ontario government must safeguard the concept of the public school system as the cornerstone of a nondenominational education system, universally acceptable to all, generously funded, fundamentally important to the diverse needs of a pluralistic society.

With the Ecumenical Study Commission, we call upon the Ontario government to preserve the

historical interests the whole Christian community in Ontario has in the public schools; in other words, the recognition and instruction in the objective truth that the Judaeo-Christian tradition is the foundation of Canadian society and western civilization. We firmly believe that anyone without an objective knowledge of the Judaeo-Christian culture is unable to appreciate and fully be a part of the contemporary Canadian culture.

We further believe strongly, with the commission, that the multicultural nature of Ontario society must be fully recognized and affirmed by a commitment to promote actively, through all schools in Ontario, understanding and harmony among the multifaceted faith groups in the larger community. This should be done through an integrated educational approach that will see appropriate teaching about world religions throughout the various age levels. We need this kind of understanding in our society today.

We believe this to be a better way. It needs more than a perfunctory nod or sporadic incidental attention within school curriculums if we are to engender a sense of unity amidst diversity, with the kind of generous understanding that has the positive potential of leading to a harmonious sense of community, respecting individual conscience and the right to be different.

Before I pass over to the portion of the brief that Stuart will be reading, I want to take a look at the word "catholicity." We respectfully wish to raise before the committee and the Ontario government the use of the word "catholic" as we have heard it used repeatedly during these sessions. There are at least two meanings of the word "catholicism" which stand out clearly in the historical use of the term. The first is roughly what is signified by the English word "universal." You will find it with the World Council of Churches's word "ecumenical," meaning the whole inhabited earth.

The second suggests wholeness and integrity. For Christians who are not Roman Catholics the noun "catholicism" and the adjective from which it is derived do not properly designate that communion of Christians which is under the Pope, the Bishop of Rome.

It is true that in popular usage the adjective "Roman" is often omitted from the description of the Roman Catholic Church. Many disregard the niceties of meaning, so the term "catholicism" often means simply Christianity as professed by the Roman See and its adherents. But common usage should not be considered adequate for informed and careful thinkers.

Most, if not all, Christians who are not supporters of the Roman Catholic Church consider themselves none the less to be catholic. Witness the Apostles' Creed, "I believe in the holy catholic church." Witness that presentation and the image that was probably still fresh in the minds of some at the World Council of Churches' meeting in Vancouver and how catholicity was truly seen in every colour, race, creed and denominational difference.

Presbyterianism is essentially an understanding of the nature and function of the church catholic. We regard all other Christian churches as a part of the church catholic, differentiating only in so far as other denominations may have their own varying ways of understanding the nature and function of the one and only church of our Lord Jesus Christ.

We raise this matter not out of any partisan spirit, but only to point to the core of our presentation. We believe in a principle of catholicity of the common secondary schools, but widening its meaning to include all people; a school system which is not only universally acceptable, but so designed as to enhance the integrity not only of the larger community but the integrity of each individual person.

If this principle were adopted by the government of Ontario for all public education, then we believe a better way to approach the subject of secondary education in the province would be found by all parties concerned.

Mr. McEntyre: It is with great respect that we beg to differ with the government of Ontario in a statement made by the Minister of Education (Mr. Conway) to the Legislature on July 4, 1985.

The minister spoke of the government seeing a duty to proceed with this policy. He referred to the statement of former Premier Davis of July 12, 1984, "No Ontario government has felt it was able to discharge its duty...to grant public funds to a complete Roman Catholic secondary school system."

Our concern is with the word "duty." It is our view that the government has now no duty to complete the Roman Catholic secondary school system. Bill 30 is before the courts. Even if the bill were to be settled ultimately in favour of the government's announced intention, there would not exist a duty to carry Bill 30 forward. It is primarily a political action, which we believe is unnecessary.

We would say that the government of Ontario has a more immediate duty to all the citizens of Ontario, a duty to begin the process anew, to consult with all parties concerned about second-

ary education, especially with all the major religious communities in the province, with a view to ascertaining the best way of achieving a fully unified public secondary school system acceptable to most, if not all, in the province.

The extension of the Roman Catholic school system as now proposed would give to the Roman Catholic community and church what would be in effect a private, religiously oriented, publicly funded, ecclesiastically dominated separate school system available to no other group in the province, creating obvious inequity and discrimination.

If, under the Charter of Rights and Freedoms, other groups are impelled for whatever reason to come forward and successfully demand and receive the same rights and privileges, the public school system, both elementary and secondary, will be eventually pulled apart, dismantled, fractured beyond recognition and viability.

In the end, the financial stress for every taxpayer in the province would increase greatly and the general level and quality of education would be extremely uneven and quite likely unfair. Those who are poorer and more socially disadvantaged in society would not receive the high level of educational services to which they are now entitled.

The Presbyterian Church, through its long history, has always maintained the necessity for common schools and, indeed, has established schools and universities throughout the world. So we say insistently that the government of Ontario has a greater duty to the future of education in the province for all, than any obligation it may feel to fulfil the demands of one significant segment of the population, notwithstanding our province's history. The government should never take an action that would put the majority of its citizens to disadvantage.

The other matter we respectfully wish to raise centres around the statement by the Minister of Education, "The fifth principle is that the distinctive mission of the Roman Catholic separate school system must be maintained." Our concern centres around the use of the word "mission."

11:50 a.m.

We do not quarrel with the right of our Roman Catholic brothers and sisters to educate their children and young people in their distinctive understanding of the Christian faith. However, regardless of any perceived constitutional rights and guarantees, we, along with many others in the larger community, do object to the government of Ontario, through direct or indirect

taxation, assisting any group to teach, at public expense, sectarian religious views and indoctrination into a specific world view not held by the community as a whole.

We do not question the right of the Roman Catholic separate schools to foster a spiritual atmosphere within their schools. We do, however, respectfully question the legality and obligation of any taxpayer being obligated to help support the teaching of a specific religious doctrine and practice with which he or she may or may not agree.

If the Roman Catholic separate schools, elementary and/or secondary, are receiving such financial support for sectarian purposes, and we believe they are, then the portion of the tax dollar that is used for such purposes should be withdrawn. Just as the teaching within the public schools has been of a nondenominational character, so also do we believe the religious teaching of the Roman Catholic separate schools should be of a nonsectarian nature. There is, after all, a body of Christian knowledge common to all who hold the Catholic faith that is objectively acceptable to the larger Christian community.

The Roman Catholic separate schools are to be open to anyone in the larger community, as we believe they should be because of the universal nature of the proportion of their funding; but no student, and we say this with great respect, should be exposed to any religious teaching that would ever suggest that some people are worthy of eternal damnation because they are not of a particular faith group.

Nor should students be recruited out of any school to take part in clearly partisan social issues arising out of that particular church's distinctive teachings on social issues. No one questions the right of any denomination or group to teach its own distinctive doctrines and beliefs, but the expense of that teaching should be borne exclusively by those who hold those views and not be subsidized through general public taxation.

If the foregoing is valid social reasoning, then it would follow in point of moral and civil law that the government of Ontario has an obligation to effectively oversee the teaching of religion and the teaching about religion in both the public and separate sectors of education, elementary and secondary.

Arising out of our belief in the liberty of each individual's conscience, we believe that sound education should seek to develop within students openmindedness and critical thought processes. We stand opposed to any system that would force

the mind of any human being through any indoctrination of one exclusive perception of what any one group would singularly call the truth.

We believe that the home, church, synagogue or temple has the primary privilege, responsibility and mission to teach faith and practice. We also believe very strongly that it is incumbent upon all the publicly funded schools of Ontario so to teach that the common good of all society is promoted through free and open inquiry seeking broad understanding. This better way should be the continuing heritage of all.

There are many who believe that now is the time to abandon publicly funded separate secondary schools, not extend and entrench them, the Constitution notwithstanding. We agree because we believe that by entering into genuine dialogue with the major religious communities in Ontario, we can emerge with an approach to our common concerns that would be to the obvious benefit of all.

We believe that a unified secondary school system holds out the best opportunity for all Ontarians to have access to a liberal education, which has the capability of building strong character, sound citizenship and a high moral fibre within an atmosphere of mutual acceptance, understanding and goodwill, irrespective of different backgrounds.

If no single religiously sectarian segment of the population is able to gain entitlement to a full publicly funded separate educational system, now or in the future, then we believe Ontario society will be able to preserve a greater sense of integrity.

This is a time for vision and political courage. We call for a complete and thorough public study of publicly funded education in Ontario that will lead to a new creative leadership and direction in public education that will be honouring both to the Roman Catholic community's broader interests and those of all others in this great province.

Canadians in the latter part of the 20th century are by nature and heritage a tolerant, understanding people. We need to continue in such a direction. The multifaceted, multicultural nature of our nation and province demands that we take great care to preserve the institutions that can and do have the potential for great good in our unique society.

This is not a time for any quick fix, ill-conceived, unadvised and politically expedient. The educational crises and challenges of today are far broader than the narrow questions raised by Bill 30. The government and Legisla-

ture now have the chance to turn this whole matter into an opportunity for political statesmanship of the highest order to the great benefit of educating our young people. Surely such is demanded of a reform Legislature. As we indicated earlier, we believe the consequences of proceeding with Bill 30 in its present form or any amended form have the potential for growing educational and social disruption, possibly even disaster.

In the light of world events where social divisiveness has become a blight to many nations, it is not unrealistic to envisage the sad possibility of feeding social division rather than inculcating social harmony. It is no exaggeration to say that it would be a calamitous event indeed if public education, now or in the future, were ever fragmented into narrow, sectarian interests arising out of religious, political or philosophical world views.

It is always the prerogative of a democratic society such as ours for the wealthy, or those who hold narrow, exclusive world views, to establish private schools for their children and young people, provided they meet certain minimal standards set by educational authorities. This right exists and always remains. Our view, we believe, is shared by the majority of Ontarians, including many of the Roman Catholic persuasion.

Only a unified public secondary education system can best serve the people and the state. In Canada we have never had a sharply hostile or suspiciously competing view of church and state. Our model has always been one of reasonable consultation between church and state on issues mutually vital. Let this continue in Ontario. We urge the Legislative Assembly to do all it can to establish and maintain the vitality and enrichment of one unified public secondary school system.

We respectfully recommend through the standing committee on social development to the government of Ontario that:

1. Bill 30 be withdrawn.
2. The government initiate a broad consultative process with all parties concerned with education in Ontario to the end that a fair and equitable accommodation be made with the Roman Catholic community and other communities, religious or otherwise, and that a single unified secondary school system be established and maintained from public funds.
3. The government respond publicly to the concerns raised by the Ecumenical Study Commission on Public Education and that the

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3. The government respond publicly to the concerns raised by the Ecumenical Study Commission on Public Education and that the

Ministry of Education consult with the ecumenical study commission and with a parallel inter-faith study commission on relevant matters.

12 noon

4. The government give serious study to the concept of umbrella boards of secondary education to oversee all secondary education.

5. The government establish standing area advisory committees on public education to advise local boards of education. Members of such standing committees are to be drawn from professional educators from the several levels of education, from industry and business, from religious communities and others with a vital concern. They would be given the ongoing mandate to study and reflect the larger community needs in education, practical and theoretical, with a view to ensuring responsive, practical and socially relevant elementary and secondary educational systems.

We believe this is a vital part of living in a democratic society. If this were in place now, and had been in the past, we would not be in this present situation.

6. A royal commission be established to study the future direction of publicly funded educational policy in the 21st century.

Mr. Chairman: Thank you. We appreciate that.

Mr. Miller, did you have a question? I noticed you caught my attention earlier.

Mr. G. I. Miller: I appreciate the presentation that has been made and as a Presbyterian I respect it. As members of the Legislature, we have to recognize that Canada has been founded on a Constitution that permits two educational systems. We are funding now up to grade 10 and there has been no problem. There has been evidence presented to this committee from across Canada that four of the provinces do have this system in place and it is not creating any division or any great problem between religious groups.

I feel very strongly, maybe as in your comments, that we should not be promoting divisiveness and that we should be trying to co-operate and showing the brotherly love aspect.

I would like to hear you respond to that and to the role the church could play in pulling us together rather than splitting in different directions.

Mr. McEntyre: We have stated in our brief, and we clearly understand, that constitutionally the Roman Catholic church is entitled to an educational system up to grade 8. We understand

that it has been extended to grade 10. If that is constitutional, so be it.

As to the further extension, we have already expressed our minds. We believe there is a better way to be found, and that is not to divide children in the secondary school system. I was raised in a small community, as the Minister of Education was, a community where there were people of all faiths. The school and the teachers, as I now reflect upon it, were carefully chosen by the board of education to reflect the diversity of the community. We believe that is still a better way. We understand the Roman Catholic church is rightly jealous about having its own system fully funded, but we have raised our concerns about state funding.

We do seek harmony and we have proposed ways to meet that.

Mr. Spencer: Mr. Miller, I grew up in a community in which the entire schooling was separated into public and separate schools. It took some time in my development to come to a point of being on a close personal relationship with the Roman Catholic community. I have found that through my work experience to be very helpful.

My experience of that as a young person came in two different ways. The Roman Catholic school children and the public school children were always going off in different directions. This created some division of a physical or sometimes a combatant nature. I also saw that the natural competitiveness at the secondary school level, when it came to teams and what not, showed itself sometimes in negative ways.

We are not saying we should have one system entirely throughout all of the years, but in the elementary schedule of things this is probably good, proper and necessary. There is what we feel to be the better way, that there be the joining together. My last parish was in a community where, at the secondary level, there was just one school. There was no way they could afford to have two, and a tremendous rapport and closeness were built up. We are not saying one is absolutely wrong and another is absolutely right. There are examples of each right around the world.

I think of a visit to I made to Gambia on behalf of the World Council of Churches, where each Christian church had its own school because of funding issues, but they co-operated very closely together and they were in different regions of the country. We happen to feel this is not the absolute best, but the suggestion is a better way.

Mr. Shaw: In answer to Mr. Miller's question about what we can do as a church to help maintain cohesiveness, I think some of our response to that is through the desires of the committee of the ecumenical study commission to have religious education back as part of the public school education system, not in any doctrinal kind of way but by respecting the freedom of conscience of all individuals or faiths. We hope that will satisfy many of those who are now dissatisfied.

I can certainly see that if I were a Roman Catholic I would not want to give up the privileges I currently enjoy. That is asking a bit much perchance. But if we continue with the extension of the funding, given the new Charter of Rights as accepted, I do fear those segments in our society that wish to pull apart the public school system and the effect that would have.

It is our sincere desire as Presbyterians in this part of the mainline Christian community to see the public system enhanced so that there will not

be any fracturing, even if extension of funding is adopted.

Mr. G. I. Miller: Just one final clarification. I think the bill clearly indicates the ministry wants to strengthen the public system and does not want to destroy it. Do you think the church should have more input into that public system to promote all religious beliefs in the public system?

Mr. McEntyre: We stated in our brief that we do not deem this present process to be consultation in a reactive mode with churches such as we are. We have been trying to be as positive as we can be, although we have expressed a certain kind of outrage before, we are not expressing any outrage today.

Mr. Chairman: You could spend another 55 minutes with us in consultation. I appreciate that and I thank you also, Mr. Miller. Thank you for the time you spent before the committee.

The committee adjourned at 12:08 p.m.

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- Epp, H. A. (Waterloo North L)
- Guindon, L. B. (Cornwall PC)
- Johnston, R. F., Chairman (Scarborough West NDP)
- Miller, G. I. (Haldimand-Norfolk L)
- Offer, S. (Mississauga North L)
- Reycraft, D. R. (Middlesex L)

**From the Inter-Synod Committee on Public and Private Education in Ontario
of the Presbyterian Church in Canada:**

- McEntyre, S., Chairman
- Shaw, B., Member
- Spencer, R., Secretary

From the Ontario English Catholic Teachers' Association:

- Butt, B., Halton Unit
- Cameron, P., Hamilton-Wentworth Unit
- Montague, M., Lincoln Unit
- Saari, B., Niagara High Unit
- Shea, D., Hamilton High Unit
- Sullivan, F., Welland Unit
- Campbell, K., Founder and President, Renaissance Ontario
- Sutcliffe, J. M., President, Federation of Catholic Parent-Teacher Associations of Ontario

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Tuesday, September 24, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



Published by the Legislative Assembly of Ontario
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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)

Allen, R. (Hamilton West NDP)

Davis, W. C. (Scarborough Centre PC)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, September 24, 1985

The committee resumed at 7:32 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

The Vice-Chairman: I see a quorum. If we could get started, we will call the first group forward. Reverend Kenneth Jull and John McEwen. Welcome to the committee. This is brief 693.

KENNETH JULL
JOHN McEWEN

Mr. Jull: My name is Ken Jull. I am a retired United Church minister and I have been deputed to read the first part of our brief.

Referring to our neighbours and ourselves, I would like to thank the chairman and members of the standing committee on social development for the opportunity to make our presentation this evening. We do not represent any specific interest group other than residents of the Meadowvale West area of Mississauga. We share common concerns about Bill 30 and would like to make our views known.

At the outset, we would like to state our opposition to the objective of Bill 30: the creation of a publicly funded Catholic separate secondary school system. We recognize it is not the intention of the members of this committee to give consideration to whether or not Bill 30 should be adopted. However, we want to make quite clear to the committee, prior to our presentation on the difficulties we see in the language of the bill itself, that we believe the bill should not become law. We would also like to make clear our deep concern with regard to the process which led to the introduction of Bill 30.

A separate secondary school system. Are we held hostage to old arrangements? Ontario in the mid-1800s was quite a different place. English and Irish, Catholic, Anglican and Protestant, each community had sharp memories of past injustice and old feuds. Attitudes and practices which today we would call bigoted and intolerant were commonplace and generally viewed as quite acceptable.

Given the religious beginnings of many common schools and the climate of intolerance of the times, allowing parents, whose faith

differed from the majority or whose children would on the basis of religion or colour be refused entry, to set up their own schools was a logical, albeit regrettable step. In due course an act to allow "Protestants, Catholics and coloured people" to set up their own schools was adopted.

In 1867, the right to maintain denominational—separate alternative to common—schools in Ontario and Quebec was enshrined in what has become a part of Canada's Constitution. This arrangement was made to ensure that the minority in Quebec, English speaking and largely Protestant, and the one in Ontario, French-speaking and Catholic, were protected from an intolerant majority.

The conditions which gave legitimacy to the establishment and retention of separate schools have largely vanished. The old religious antagonisms have faded. Actions arising out of racial bigotry and religious intolerance, except where practised by a separate school board, are unlawful.

Ontario is no longer English, Irish, Scots, French-Canadian and American. We come from many lands. Among us are adherents to more than 80 faiths. Many of us are not Christian. A good number have no faith at all.

As evidenced by the adoption of the Charter of Rights, our society is much more cognizant of the rights of the individual, including freedom of speech, thought and religion.

The separate school boards, in their policies and practices, often do not respect the civil liberties of individuals in their employ. This committee has been given ample illustration by others who have come before it. We shall not repeat their evidence. However, we wonder why organizations which engage in discriminatory practices would be considered for extra responsibilities and funding without a demand for reform.

The old common-school system has evolved into a nondenominational public elementary system which affords equal access to education regardless of race, colour or creed. Along with the public secondary school system which has come into being since Confederation, it has played a major role in the establishment of an Ontario which welcomes people of different races, ethnic groups and religions. This has been accomplished through the integration of students

from various backgrounds into the public school system.

Over the years, the interest groups whose rights were to be protected by the 1867 arrangement have shifted their perception of the bargain to one which maintains the right to an education in one's own language. The language rights guarantees in our Constitution, the recent ruling on the establishment of francophone school boards, the antipathy of many Franco-Ontarians to Bill 30, and Quebec's Bill 3, which abolishes confessional school boards and replaces them with boards organized on linguistic lines, are evidence of this shift.

Language, not religion, is the basis of our constitutional arrangement. Ontario's constitutional obligations to fund separate schools, to the extent these are still existent, are nothing more than an artefact of a previous arrangement.

Given the evolutions outlined above, one must not, to paraphrase former Premier Davis, "be held hostage to old arrangements." Rather, the addition of a publicly funded Catholic separate school system must be considered in the context of our times.

The need to protect minority religious rights through a separate school system no longer exists. The multicultural mosaic that is Ontario has a public school system with room and respect for students of all faiths.

In 1985, publicly funded Catholic separate schools are no longer an alternative to schools run by the dominant denomination. With the exception of schools run by the two tiny Protestant boards, they are the only publicly funded denominational schools. This privilege is not enjoyed by any other group. Should it be extended beyond the clear boundaries of constitutional approval? We think not. To do so would constitute positive discrimination; a violation of the rights of all others.

If Bill 30 is adopted, the likely outcome will be the establishment of other publicly funded denominational schools, with the accompanying fracture of the public system. As well, the perception of the injustice found in the favouritism of Bill 30 could precipitate—in fact, as we speak, it is precipitating—a rise in religious intolerance.

7:40 p.m.

Finally, the 1980s have not been noted as a period in which the Ontario government spent lavishly on public education. Rather, it is a time when the burden of public education has been shifted increasingly towards the ratepayer, and government funding for government-mandated

initiatives has been inadequate to meet the demands of these new programs. Bill 82 is a notable example of the latter. If the government is prepared to spend the money required to create a separate secondary school system, it would be better spent in relief of the overburdened public system.

Some observations about the process: We in this province have come to expect that before some dramatic and far-reaching policy be adopted, our governments engage in consultation with those affected. In the most recent example in education, a commission was struck, views were sought, a report was written, responses were sought, the government position was laid out, reaction to that was sought, and finally legislation was introduced.

The question of the establishment of a separate secondary school system was not given this normal, democratic process. On June 12, 1984, then-Premier W. G. Davis stood up and announced that such a system would be established. With no debate in the Legislature and no legislative authority in place, the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario was established to suggest how this policy would be implemented. This commission and the Ministry of Education set about planning for the establishment of this new system in the absence of the legislation authorizing such a system.

At no time did interested citizens have an opportunity to speak their mind on the question of the establishment of the new system. A full year passed with no legislation and the implementation went on unchecked. In the election that was held, the three parties made every effort to dodge the issue. The voters of Ontario, in their frustration, did the only thing they could; each party was denied the clear mandate to govern and to implement this policy.

After the election, one might have expected that the normal democratic process would have been followed. Instead, a badly flawed bill was introduced and it was decided, legislative authority or not, the separate system would get its money in September. As Orland French writes in the *Globe and Mail*, "...the public can jaw away all it wants, and the judges can deliberate to their hearts' content, but Roman Catholic separate school funding is going ahead regardless."

The defendants of this action give the following rationale: there is an all-party agreement to create the separate secondary school system and

a promise has been given and plans have been made; a cancellation would be disruptive.

To the first point there can be only one answer. The three party leaders and their supporters cannot, even if they are in agreement, assume the combined authority of the Legislature, the Lieutenant Governor and the courts. The only promise the three party leaders had the authority to give was to seek to have legislation passed. In its own way, this doctrine of extra-legislative authority is a far greater threat to the liberties of the citizens of Ontario than is the bill itself.

The second rationale raises a new question. Which disruption will be greatest: that caused by the abandonment of the promise or that caused by the reversal of unconstitutional acts? In our opinion there is only one course of action which will serve the interests of Ontario society as a whole. The standing committee on social development should resolve to refrain from reporting Bill 30 to the Legislature.

Mr. McEwen: I would like to comment on certain sections of Bill 30 at this time. First, I would like to say once again that we have come here tonight to add our voices to the hundreds of others who have attended this committee to ask that the bill be withdrawn.

We have no illusions, however, about the stated intent of the political parties represented in the committee. We therefore would like to suggest changes to this bill; not because these improvements would make the proposed legislation acceptable or convert it to something of social value—no changes which retain the basic principles of this bill could do that—but in the hope that these amendments, if accepted, may minimize the damage to our system of public education, to the civil rights of Ontario citizens and to the climate of religious, cultural, ethnic and racial harmony which so many have worked to establish in this province.

1. The matter of civil rights. Subsection 136l(19), in that it attempts to regulate the discriminatory practices of separate school boards in matters of hiring, tenure and promotion, sanctions and gives licence to those practices. Such practices are no longer acceptable in Ontario. We simply do not understand why Bill 30 does not, out of respect for the Charter of Rights, forbid all forms of discrimination by separate school boards.

We recommend that subsection 136l(19) be deleted and replaced by a suitably numbered subsection, which could read as follows, "A separate school board which elects to assume the duties of a secondary school board shall respect

the civil, human and religious rights of all its employees and shall not engage in any form of discriminatory practices with respect to hiring, evaluation, promotion or dismissal."

2. Student access: A publicly funded school system cannot be allowed to deny access to students. Subsections 136o(1), (2) and (5) are particularly repugnant when it is understood that the income taxes of parents whose children are denied access contribute to the operation of the system which bars access. Our public secondary system has, by being available to every student seeking a secondary education, afforded disadvantaged individuals allowed to deny access to students. Subsections 136o(1), (2) and (5) are particularly repugnant when it is understood that the income taxes of parents whose children are denied access contribute to the operation of the system which bars access. Our public secondary system has, by being available to every student seeking a secondary education, afforded disadvantaged individuals an opportunity to advance and, as noted earlier, has contributed to the establishment of a plural, tolerant Ontario.

We urge the deletion of these subsections and their replacement with the following subsection, appropriately numbered, "A person who is qualified to attend a secondary school operated by a school board which has elected to assume the duties of a secondary school board shall be qualified to attend a secondary school operated by a coterminous school board which has assumed the duties of a secondary school board."

We believe that subsections 136o(3) and (4) constitute a potential mechanism to reduce student access as well. The requirement for the receiving board to recover the cost of education of the student by levying a fee upon the sending board erects an administrative barrier which the student must penetrate to gain entry. This is a natural requirement of the receiving board to monitor the origin of its secondary school students in order that its diminished resources are not strained.

We urge the deletion of these subsections and in their place the amendment of subsection 136j(1) by the substitution of the following, "Every separate school supporter paying rates in an area of jurisdiction of a Roman Catholic school board shall be exempt from the payment of that fraction of the rates imposed for secondary school purposes of a public board which corresponds to the fraction of those secondary school age children of separate school ratepayers who are in attendance at a secondary school operated by a separate school board." Subsection 136j(2)

would be a parallel clause covering public school ratepayers.

3. Compulsory religious instruction: The notion that a young person, as a condition of attending a publicly funded school, ought to be compelled to submit to religious instruction is, to be generous, bizarre. Such forced indoctrination abridges the freedom of belief of all students, including those who are presumed to be Catholic. Subsections 136o(6) to (15), inclusive, in that they establish several classes of students, not only offend the freedom of religion of many students but also deny those students equal treatment with those who are by these subsections exempted from compulsory religious instruction.

We therefore recommend that those subsections be deleted and replaced with a new subsection that reads, "A Roman Catholic school board shall exempt from programs and courses of study in religious education any pupil making such a request or, if the pupil is a minor, any parent or guardian making such a request."

7:50 p.m.

We would like to conclude our presentation by stating that there are no changes to Bill 30 which make it acceptable. Any enhancement of the separate school system is an unwarranted extension of a denominational privilege that can only "fragment and divide both our young people and our resources," as Premier Davis once said.

In our presentation, we have spoken of the flawed principle of Bill 30, the deep flaws of process that have been followed, and we have examined a few of the many substantive clauses in the proposed legislation. Ontario needs time to examine the substance of this proposal and to consider and to weigh alternatives. Our courts require time to consider the issues of constitutionality surrounding this. The process must allow time for this to happen and it must allow an opportunity for a change of mind on the question of extension of funding.

We ask the standing committee on social development to recommend the delay of the implementation of the extension. Further, we ask the members of the Legislature to open their minds as to whether the considerations of what is good public policy should not come before party policy.

I would like to end the oral part of our presentation by briefly reviewing the recommendations that we make.

1. That the standing committee on social development not report Bill 30 to the Ontario Legislature.

2. That the standing committee on social development recommend to the Lieutenant Governor in Council that the order extending interim funding to the Roman Catholic school boards be rescinded.

3. That the standing committee on social development recommend to the Ontario Legislature that the question of the extension of funding be examined in a process that allows for a complete examination of the extension by the people of Ontario before the bill is enacted.

We also listed in summary, the recommended changes to Bill 30. They are:

(1) That subsection 136l(19) be deleted and be replaced by a suitably numbered subsection, which could read as follows:

"A separate board which elects to assume the duties of a secondary school board shall respect the civil, human and religious rights of its employees and shall not engage in any form of discriminatory practices with respect to hiring, evaluation, promotion and dismissal."

(2) That subsection 136o(1), (2) and (5) be deleted and be replaced with the following subsection, appropriately numbered:

"A person who is qualified to attend a secondary school operated by a school board which has elected to assume the duties of a secondary school board shall be qualified to attend a secondary school operated by a coterminous board which has assumed the duties of a secondary school board."

(3) That subsection 136o(3) and (4) be deleted and its place subsection 136j(1) be amended by substitution of the following:

"Every separate school supporter paying rates in an area of jurisdiction of a Roman Catholic school board shall be exempt from the payment of that fraction of the rates imposed for secondary school purposes of a public board which corresponds to the fraction of those secondary school age children of separate ratepayers who are in attendance at a secondary school operated by separate board."

(4) Subsections 136o(6) to (15), inclusive, be deleted and replaced with a new subsection, which reads:

"A Roman Catholic school board shall exempt from programs and courses of study in religious education any pupil making such a request or, if the pupil is a minor, any parent or guardian making such a request."

Mr. Chairman, that concludes the greater part of our presentation.

The Vice-Chairman: The regular chairman of the committee, Richard Johnston, has just

arrived, and I will turn these proceedings over to him.

Mr. Chairman: Does anyone on the committee have any questions?

Mr. Reycraft: Your third recommendation suggests a public examination process prior to enactment of the bill, could you describe such a process. How would you envision it working?

Mr. McEwen: I think I alluded to a possible process in the illustration that was drawn. The normal sort of process seems to be that a position paper is put out and responses are sought to it. In the case of the Ontario Schools, Intermediate and Secondary Divisions guidelines, it began with a commission which studied the whole question of secondary school education and put out a report. The government gave its position, and responses were sought to that. Although there are many people in the community who were not entirely satisfied with the way in which all that turned out, at the very least, interested parties had an opportunity to speak their minds and have input into public policy before the matter was cast in stone.

I would envision something such as a royal commission, or perhaps a committee very much like this one, with the exception that instead of having a bill before us and a stated intention this matter was going to proceed in some fashion, the question of separate school funding and its merits would be discussed, and arising out of that debate could come proposals which would perhaps lead to legislation.

I think the great frustration that brought Mr. Jull and I here as much as anything else was the notion that as citizens of a free country we suddenly found ourselves with a pronouncement this was going to be done; there is no sense in talking about it because everybody has agreed with it; and there must be something wrong with anybody who does not agree. That kind of attitude from members of a provincial parliament is very distressing to citizens of a free country who feel, perhaps in an unwarranted way, they somehow are the ones to whom these people are responsible, and who feel perhaps they ought to have some input in the process of government if they feel strongly about it.

Would you not concur, Mr. Jull, that is really what brought us here?

Mr. Jull: Yes. That is why I read that one sentence twice. As far as I am concerned, it is the process that makes me wonder whether there are not things at work which the public is not supposed to find out about. It makes people suspicious of the process and politicians.

Ours is supposed to be a democratic process and you people are supposed to be our servants, yet this fiat has come out through the various public media saying, "This is the way it is going to be, period." As Orland French puts it, we can jaw all we like, but this is going to happen. We do not like that; we do not like it at all.

Mr. Reycraft: With respect to my question, which dealt with the process, I submit the public examination is really what is happening right now. As far as the principle is concerned, I am sure from its extensive nature and the obvious research behind your brief, you are well aware of the history of the positions of the three political parties on the issue. I certainly regret the perception you suggest. Rather than criticizing, could you suggest how it should have happened, given the reversal in the former Premier's position?

8 p.m.

Mr. McEwen: Step one, there should have been a paper. Public reaction should have been sought to that paper. A Ministry of Education reaction to the reaction should have been issued. A reaction to that should have been sought. From all of that process could have come legislation. It may have taken a little longer; the so-called promise might have been delayed, but people would at least have had the sense that a fundamental alteration of public policy was going to be undertaken after the fullest examination by the interested parties, rather than something that came into being the day the former Premier stood up and said, "We are going to do it."

Mr. McKesock: Mr. Jull, on page 5 of your brief, you mention that Bill 30 was precipitating a rise in religious intolerance. Could you explain a bit more what you meant by that? It is at the bottom of page 5 and at the top of page 6.

Mr. McEwen: Perhaps while Ken is thinking, I could illustrate it with a small story. Some friends of ours two doors down are Catholics; we have known them for years and have had barbecues in each other's backyards. They sent their children to the separate school system and we sent ours to the public school system. So it was and no one was thought the better or the worse for it.

However, since this has come up, and there is the question of whether the school behind us is going to be turned over to the separate school board, not only the parents but also both of the children have begun to think about the significance of being Catholic and what that will mean.

The fact it has come up and the way in which it has come up have probably harmed a relationship between two families. I tend to think we are moderate, reasonable people and I have always felt they were, too, but now we have this between us. That is just one small example.

Mr. Chairman: Did you wish to add anything, Mr. Jull?

Mr. Jull: In the area where we live, called Meadowvale West in Mississauga, we have a heterogeneous population, not only in regard to religion, but colour, ethnic background, and so forth.

Last year, a weekly study group began in our immediate area, initiated by the Roman Catholic parish. Other denominations were not only welcomed, but were also given the warmest invitations. I attended and enjoyed it very much. When this arises for something as, to my mind, sharply discriminatory as this bill, I would not feel too happy about my position with that group, with the kind of climate which there must be between a Roman Catholic group and the rest of us so-called Protestants.

We do not have young children, so we do not have children at school, and I am not in a position, as John is, to test that kind of thing. From my own childhood in a community of various religious groups, I know something about what discrimination and hostility among such groups means. I was hoping that in Ontario we were gradually moving to a climate where that kind of discrimination and attitude would be forgotten. I see this as a move in the wrong direction.

Mr. McKessock: On page 7 you mention, "After the election one might have expected the normal democratic process would have been followed." I had a question about that, Mr. McEwen, but I think you just explained what you meant.

On page 11, you mention they would have to take religious instruction. As I am a substitute member of this committee, I am not totally familiar with how the act reads. I know the normal Education Act allows students to exempt themselves from religious education, so I take it this bill does not in one instance. Is that where a student who is not Catholic requests to attend a school?

Mr. Chairman: At this stage the differentiation is between a student who goes there for reasons of distance, program or handicap, who may be exempted automatically, and one who goes only by reason of choice. At the moment the act does not exempt the second student automati-

cally. An appeal process is built in. We have had many representations on that issue from all sides.

Mr. McKessock: It conflicts with the Education Act as it stands now.

Mr. Chairman: Yes, and I think quite deliberately so in regard to its drafting.

Mr. Davis: Your brief does not indicate where you are from. Are you from an urban area or a small town community?

Mr. McEwen: Both, in a sense, as with the riding you represent, Mr. Davis. It was once rural and the church Mr. Jull and I both attend began as one of the stops on a Methodist circuit in the country. Things have since grown up around it and the new town of Meadowvale West, which has some 35,000 or 36,000 people, is there.

We still have rural roots in that many of the members of our congregation are from surrounding farming families. By the same token, we have people who are newly arrived in the country. We have all the normal strata of an urban city. Our congregation is part of a church campus where we are one of four congregations.

Mr. Davis: Is the public education system experiencing declining enrolment and, therefore, closing schools in the jurisdiction you are from?

Mr. McEwen: Yes and no. The public system is closing schools in the south of Peel, but not in the north. You recently had a deputation from the Peel board that talked about some of the implications of this plan. I will remind you of one of them, which was they would lose \$24 million in property tax revenue; not assessment but property tax revenue.

The net loss, the net extra burden on the local ratepayers, Mr. Jull and I and others like us, is \$11 million which is either cut out of the heart of our school programs or added on in extra property taxes.

Mr. Davis: You are quite aware it will not be cut out of the heart of your educational programs.

Mr. McEwen: In a sense the money will have to be found, and I am quite sure I will notice it come March.

Mr. Davis: Yes, you will. Are you in the south or the north?

Mr. McEwen: We are just south of Highway 401; that puts us in the north part of Mississauga.

Mr. Davis: The school you are talking about that could change hands, and I do not know the jurisdiction, could be one of the schools scheduled for closing because of declining enrolment.

8:10 p.m.

Mr. McEwen: Because of the nature of the population, you have a kind of microcosm where one kind of population is growing faster and the other is not; the net population may not be declining, but the shift will result because of a greater overburden in one place.

Mr. Davis: So it is possible, and again I am not completely aware of your jurisdiction, that you would still go through the anxiety of your local public board saying, "That school is going to be closed because of declining enrolment"?

Mr. McEwen: In fact, it is likely.

Mr. Davis: It will not be closed now possibly, but it could become a school for the separate school board to move into, which means your child could go there if you decided?

Mr. McEwen: That is correct.

Mr. Davis: Okay. Thank you.

Mr. McEwen: If we had access, if the clauses that we are suggesting were included and there was not anything preventing us from sending the kids.

Mr. Chairman: Although everybody seems to think the thing is a fait accompli, I presume there will be many changes in the act. One of the major emphases has been on the question of access; if we ever get around to clause-by-clause consideration, you will see some changes in that area.

Thank you both very much for coming forward today; we appreciate it very much.

Our next presenters are from the Etobicoke Home and School Council; Ms. Woodcock and associates. This is exhibit 79A. Ms. Woodcock, perhaps you could identify your two associates. I would ask you to speak relatively directly to the microphones in front of you. That way we are sure you are being picked up clearly for Hansard and for the cable watchers.

ETOBICOKE HOME AND SCHOOL COUNCIL

Ms. Woodcock: I am Ruth Woodcock, president of the Etobicoke Home and School Council and a member of Sir Adam Beck Home and School Association. On my left is Sylvia Giovanella, past president of council and a member of Valleyfield Home and School Association. On my right is Mary Hewitt, chairman of council's separate school funding committee and a member of Melody Village Home and School Association.

The Etobicoke Home and School Council represents the children in the public schools of Etobicoke and wants the best for each child in

Ontario. We are a parent organization which has openly discussed and debated the issue of extended funding to Roman Catholic separate secondary schools. The active and continued participation of the parents of Etobicoke in this issue indicates there are serious concerns about the future education of our children.

We are concerned with the education of all children, today and in the future; they have the right to the finest quality of education. As parents, we feel we have the social responsibility to ensure these children are guaranteed the best educational servicing possible, that they might reach their greatest potential.

From this perspective, we must state that we are opposed to funding the Roman Catholic separate secondary schools. We fear it will cause the public school system to regress. It may also initiate negative social circumstances. We feel the legislation is premature and not enough concern has been given to the long-term effects it will have on children specifically and on society in general.

Last January we began to develop a policy, which was completed in March and sent to the Premier of Ontario and both opposition leaders, the Minister of Education, the Ontario Treasurer and the four MPPs representing the city of Etobicoke. Copies were also sent to the Etobicoke Board of Education, the Metropolitan Toronto School Board, all the principals' associations, all the teachers' associations, newspapers and everyone who expressed an interest throughout Ontario.

During the election campaign, copies of our policy paper were sent to all candidates running in Etobicoke. When the Ontario Legislature struck this standing committee on social development, a copy was forwarded to you. Our policy paper is attached for your reference.

In April 1985, at the annual general meeting of the Ontario Federation of Home and School Associations, we presented a resolution on this very important issue. That resolution was supported by the Ontario membership, and it is now the policy of the Ontario Federation of Home and School Associations.

Some concerns regarding the extended funding to Roman Catholic separate schools are:

1. Quality of education: We feel the service provided by the public school system will be diminished by fully funding separate secondary schools. We also fear there will be a corresponding reduction in the quality of education.

Logical reasoning leads us to believe constraints will be implemented, programs will be

cut back and we will be unable to afford many of the programs and specialized teachers needed. We cannot see how reduced funding for the public school system can possibly be of benefit. We are concerned that both publicly funded school systems will be forced to sacrifice some services to implement Bill 30.

What kind of chaos has been created for student programming and courses? The high school student has been placed in a situation of turmoil and uncertainty by Bill 30. People and government must never lose sight of the student's vulnerability in the controversy created by this bill.

2. Effect on education projects: There is no reassurance that extended funding to separate secondary schools will not affect current or future projects under consideration by the Ministry of Education. The early primary education project was thoroughly researched and recommended by various municipal committees, school boards and parent associations. What effect will the implementation of Bill 30 have on current projects such as this? Will there be enough money to go around?

3. Financing: Financing a dual school system is substantially more expensive and inefficient than financing a single school system. It is a waste of funds when public and separate schools exist side by side with identical curricula. Where will the money come from to provide teachers, space and equipment for the extra students transferring to the separate secondary schools? How much will implementation really cost?

4. Segregation of the community: We live in a multicultural, multiracial and multilingual society. A shared educational experience can be a countervailing force to factors which fragment our society. The public funding of Roman Catholic separate schools promotes sectarian segregation, which will lead to social problems in our communities.

School may be the only place where children can mix and learn to live with people of all nationalities and beliefs, which they will have to do as adults. Learning to accept the differences of our neighbours is going to become more and more important as modern technology brings people and events around the world in closer contact.

How can we expect new Canadians to feel welcome where one religion is given preference over others? This is not democratic. Good education should include understanding, learning and interacting with others.

5. Legality: The legality of Bill 30 has not yet been determined. We do not understand why the government proceeded with extended funding to separate secondary schools before the courts ruled on its constitutionality. If the courts decide it is unconstitutional will the government cut off funding to separate secondary schools? If the government cuts off funding, how much will it cost to re-establish the former system?

6. Political attitude: The politicians must think the people of Ontario can be appeased by organizing the standing committee on social development, seeking a court ruling on constitutionality and starting funding in September 1985, simultaneously.

During the election, funding was treated by all political parties as a nonissue. Only after the election was there public recognition of the fact that many people were upset and outraged because there had been no legislative discussion or public input into this issue.

It is extremely difficult for opponents of extended funding to promote their views in the Ontario Legislature, because they have no official voice in any of the three political parties. Concerned people are not truly represented within the Legislature. Where is the voice of democracy? If the members were able to vote independently rather than being bound to party policy, we would have a more democratic voice.

7. Implementation: Implementation is proceeding too hastily. The government has not researched all the ramifications and long-term effects this bill will have on the public school system. By comparison, five years of study and preparation accompanied the implementation of section 653 of the Ontario Education Act, formerly Bill 82.

We would like the government to show the same concern for Bill 30 as it did for Bill 82. It might not require five years of study, but all children deserve the same consideration.

8:20 p.m.

8. Partiality of the document: Bill 30 is a very partial document. Non-Catholic groups will feel entitled to public funds to finance their schools, and justifiably so. This would cause further dilution of our tax dollar. People are entitled to educate their children in the accredited private schools of their choice. However, we are opposed to any private parochial or nonparochial schools receiving public money.

We will not specifically address Bill 30 at this time. We have read the document and feel it is too expansive to understand all its ramifications.

The bill is too vague and must be precisely worded so there is little doubt as to its meaning.

However, we do feel very strongly about sections 136j, 136n and 136o, and would like to make this comment. Parents must have the option to send their children to the publicly funded school of their choice without any restrictions. Are we to believe that the taxes of a Roman Catholic must go to the separate school board and that a taxpayer does not have a choice as to which system he can direct his taxes?

We hope the government will seriously consider the following recommendations.

1. Stop the implementation of Bill 30 immediately. The government's action in implementing Bill 30 seems to be based on too many unknowns to be successful. Bill 30 needs to be studied.

2. Implement a study into the feasibility of a single, unified school system, with the possible outcome being the amalgamation of two systems into one publicly funded school system. Now is the time for a royal commission to study publicly funded education in Ontario.

The stand taken by all three political parties on extended funding to Roman Catholic separate schools has not allayed our fears or reassured us that the children attending the public schools will not be adversely affected. We feel the government cannot guarantee that the quality of education offered by the public schools will not regress by extending funding to Roman Catholic separate schools.

Let us not forget our children in school, now and in the future, when deliberating this very sensitive and highly controversial issue. Children are our greatest resource; let us not waste them. Our motto is "The Best for Each Child," and the best is one unified education system.

I would now like to read our policy paper. We feel the concerns and issues raised in it still remain unanswered.

The Etobicoke Home and School Council is the umbrella organization for the local home and school associations. We work closely with our municipal government, board of education and teachers' and principals' associations.

The members of council strongly oppose the premature decision to extend public funding to the Roman Catholic separate secondary schools. The following are some of the reasons on which the council has based its decision.

1. Legal constitutionality: There is confusion as to whether this policy is constitutional. We feel this question must be answered before any changes to existing policies occur.

2. Public input: We feel there has not been sufficient debate, public participation and study of potential impacts of this sudden policy decision. This is important for developing community understanding and consensus.

3. Sectarian segregation of the community: The Honourable Bette Stephenson, on October 11, 1983, made the following comments to the standing committee on social development:

"In a pluralistic society such as ours, which can be characterized as multicultural, multiracial and multilingual, a shared educational experience is important in fostering a common culture. Unity through shared experiences can be a countervailing force to factors which split and fragment our society. Indeed, the school system may well be the only common, noncommercial and socializing experience for our young people."

As a council, we support that statement.

4. Duplication of programming: Declining enrolment related to a lower birth rate has already disrupted many communities. The closing of many schools and the loss of programs has already had a major effect on the education of our children.

The proposal to extend funding to the separate secondary schools has already impacted the primary system. Some parents are transferring their children to the separate schools in anticipation of full funding. This will reduce enrolment and programs further, thus placing our school systems in jeopardy.

Having two publicly funded systems, with further duplication of facilities and programs such as French immersion, vocational and technical courses, music, schools and special education, is not an efficient use of the taxpayers' money. In our opinion, it is impossible to assure that the quality of education be maintained and guarantee appropriate funding.

5. Parochial schools: By fully funding separate secondary schools, we are opening the door to publicly funding other parochial schools. This is bound to lead to further racial and religious tension. Some questions still remain unanswered:

- (i) Will the quality of education for all children suffer because of this further dilution?

- (ii) Has the Jackson commission on declining enrolment been considered?

- (iii) Will every student have access to the publicly funded school system?

- (iv) Will staff be denied jobs and career opportunities because of their religion?

(v) Is it now time to study the feasibility of one unified school board with the amalgamation of the two boards into one publicly funded school system?

No legislation should be brought forward until these concerns have been properly studied. There should be appropriate policies developed to ensure there will be no negative impacts on the community values, social structure and cohesive development of a growing community.

The implementation of extended funding to separate secondary schools must be postponed for a minimum of two years from September 1985. Extensive study of this important and highly controversial issue is imperative. Elected representatives need time to study the long-term impacts.

We thank you for this opportunity to present our views.

Mr. Chairman: Thank you for coming and taking the time to visit us, Ms. Woodcock. Can you tell us a little about the council that represents the local parents' groups in Etobicoke? How many groups are there, and how big is the council at this point?

Ms. Woodcock: We now have nine associations in Etobicoke that we represent.

Interjection: Ten.

Ms. Woodcock: Nine plus one coming up.

Mr. Chairman: How many representatives from each of the local associations are on the council? And how often do you meet? Once a month?

Ms. Woodcock: We meet once a month and each association sends two voting representatives to council.

Mr. Chairman: Are those associations representing individual schools, high schools or public schools or both?

Ms. Woodcock: In home and school they represent both in Etobicoke. At this point we do not have a home and school association in our high schools, but we are working on that.

Mr. Chairman: I gather you have already had to deal with the declining enrolment and school closing problems throughout Etobicoke?

Ms. Woodcock: Yes.

Mr. Chairman: Mr. Allen, do you have a question? I did not recognize you the last time; I am sorry.

Mr. Allen: It is a pleasure to get a brief that has some quite specific recommendations in it and is not loaded with a lot of rhetoric.

Stripping everything down, as you state both at the beginning and the end of your brief, I gather you are concerned about the quality of education for all children and you believe all children are our greatest resource in this province. That is what we are all about in this committee, and it is my central motivation as well.

I want to ask you to stretch your thinking a bit away from your preferred solution. If one argues it is impossible to achieve a single unified public school system at this time in Ontario, given the constitutionalities of the case, how would you propose we go about delivering that high-quality education to children in the separate school sector of the public school system?

8:30 p.m.

Ms. Hewitt: What we are afraid of is that by having two publicly funded school systems, we cannot afford to give the best quality of education. We do not see how a good-quality education can be given with two publicly funded school systems, because there is not the money.

Mr. Allen: In point of fact, we now have a fairly high reputation in the world at large for the education that is delivered, not just in one but in both branches of the public system. We do that, of course, by spending a lot of money. Are you aware that the additional costs of the proposed extension amounts to something like one per cent of the total provincial expenditure on education and a total of perhaps 0.2 per cent in the total budget of the province?

Ms. Hewitt: Do we know that for a fact?

Mr. Allen: Yes.

Ms. Hewitt: I have not seen any figures that state how much this is actually going to cost in new schools and new equipment for separate schools. We would like to see some figures that would prove that. Our tax dollar is shrinking, everything is costing more; 10 years down the road, are we going to be able to maintain this high quality? Also, how much is it going to cost to implement section 653 of the Education Act? These bills are very expensive, and the children need the programs.

The Etobicoke Home and School Council feels it is just going to cost too much and we cannot maintain and improve the high quality of education by publicly funding two separate school systems.

Mr. Allen: If you were to go home and do your arithmetic and discover it was a one per cent increase in the total provincial—

Ms. Hewitt: Can you guarantee—

Mr. Allen: Just a minute. If you were to go home and do your arithmetic and find that roughly a 0.2 per cent increase in the provincial budget is entailed, would you be as concerned as you are now about the financial question?

Ms. Hewitt: Yes.

Mr. Allen: Would you also be as concerned as you are now if you went home and did your arithmetic and discovered the province spends a smaller percentage of its gross provincial product on education now than it did 10 years ago?

Ms. Hewitt: Can you guarantee that my property taxes will not increase as a result of Bill 30 and that the quality of education will not suffer?

Mr. D. S. Cooke: I can guarantee you that no matter how much your property tax goes up over the next few years the trustees are going to blame this bill.

Ms. Hewitt: Maybe they have a right to blame this bill.

Mr. Allen: I think there has been a good deal of exaggerated comment on the financial costs, and many of the issues that surround that part of the question are among the lesser matters with which one has to concern oneself. One should concern oneself personally with a decade of lower funding of education as a whole; and with placing a good deal of pressure on the new government to reverse that, as it has committed itself to doing in its criticisms of the past government. That would be the solution of both problems, the one you want to see addressed and the one you are concerned about in respect to this bill.

Ms. Hewitt: Has any of the three parties or the government done a study to tell us exactly how much this is going to cost?

Mr. Allen: Yes.

Ms. Hewitt: How much it is going to cost per student and everything else?

Mr. Allen: Those figures were tabled with this committee and are available if you want them.

Mr. Chairman: There are projections.

Ms. Hewitt: I would very much like to have a copy.

Mr. Allen: Certainly.

Mr. Chairman: I am trying to find the best way to get it. It has been in our hands. I am looking at a ministry staff person. If he could get me a copy of those projections of the estimated cost for the first three years that we have had at

this point, we can forward that to you. Those are projections, and the reason they will not be specific amounts is that nobody knows how many people are going to participate as yet. From what we can gather, the numbers participating this fall have been lower so far than were anticipated by either of those who were estimating in the past. They are estimates. They are not going to be hard and fast figures; they cannot be at this stage.

Mr. Allen: Perhaps the ministry might also provide them with the gross provincial expenditures on education, by the province and the school boards, to lay those figures against.

Mr. Chairman: You could pull those out of the tables from the Ontario Secondary Schools Teachers' Federation or any of the groups that were before us. That would be useful as well, and we will forward those to you. However, knowing the reputation of some of the members in your group who have been quite active province-wide, I would be surprised if you did not know that information already, or a lot of it.

Mr. Jackson: I would like to ask a supplementary to the series of questions the chairman asked.

I understand you have nine going on 10 home and school groups, all elementary. Are they all public? Do you have any separate schools in the home and school network in Etobicoke?

Ms. Woodcock: No.

Mr. Jackson: Thank you.

Mr. Chairman: If there are no other questions, I want to make it very clear that when Mr. Allen said to go home and do your arithmetic, we give no homework here and it would be very difficult for you to do those estimations on your own, as it has been difficult for the committee to get precise figures on those matters up to this point. But thank you very much for taking the time to come down and talk to us this evening.

Our next presenter is T. Rogers; his brief is exhibit 694. Take any seat you want, Mr. Rogers. The only caution I give is to speak fairly directly into the microphone. I have found, both watching this on television at home and in hospital a couple of times, that if people are not speaking into their mikes it starts to fade away and is quite hard to watch, even if it is being picked up by Hansard.

T. ROGERS

Mr. Rogers: I would like to thank you for the opportunity to express my views and support for

Bill 30, an Act to Amend the Education Act regarding funding of separate secondary schools.

I am a high school teacher for the Welland County Roman Catholic Separate School Board. My sole purpose here tonight is to present to you the assets of equal funding from the point of view of a teacher at the secondary level within the separate school system. Other views and issues regarding completion of funding to Catholic schools will be thoroughly discussed and analysed in the hearings to follow.

To begin, I think it necessary to acknowledge the public school system of Ontario as being a quality school system. It is not the intent or the desire of the separate school system to alter or take away from the public school system in any way. This would be defeating our mission as an institution striving for excellence in education for all people. With all due respect, however, we ask the public system of education to acknowledge and respect our commitment to an education system enhanced with Roman Catholic perspectives.

A student attending a Catholic school receives the same education and is governed by the same regulations and curriculum guidelines as a student at a public school. However, all education takes place from a different perspective than that of the public school system. This approach to education in the separate school system is the creation of a Christian community that enlivens and enlightens all teaching and all learning. The separate school program reinforces basic Christian beliefs and uses such values as a medium for viewing and analysing the various aspects of our world.

In proposing amendments in Bill 30 on July 4, 1985, the Minister of Education (Mr. Conway) clearly acknowledged the values of the separate school system when he said: "In pursuing excellence in education, the separate and public school systems each have a distinct mission. The government sees the completion of funding as a major contribution to preserving the unique mission of Roman Catholic secondary schools."

The British North America Act of 1867 granted the provinces exclusive rights to legislate in the field of education and stated that the educational rights enjoyed by various denominations before Confederation were to be maintained. The Canadian Charter of Rights and Freedoms of 1982 reaffirms the principles regarding equal opportunity in education that were laid down in the original British North America Act.

8:40 p.m.

Since the separate school system is constitutionally protected and guaranteed, would it not be unconstitutional to disallow people wishing to complete their education with the Catholic school system the opportunity to do so? It is not this system's intention to take away public school enrolments. We wish only to allow those who choose to complete their education under the separate school system the opportunity to do so without penalty. We wish equal benefits for all students in both public and separate systems of education.

The separate school system is a learning environment in which Christian beliefs and the related value system provide the common denominator for all education. The Catholic school community, made up of parents, students, teachers, support staff and religious members, is a dynamic community which looks outward for all mankind without exception. Thus, the public school system need not look on us as a divisive force in education and society.

As Arthur Meighen proclaimed in 1937 regarding Canadian-American relationships, "We are not in the same boat, but we are pretty much in the same water." So it is between the public and separate school systems: excellence and equal opportunity in education are the goal of both public and separate school boards.

Canadian education, not unlike Canadian business and politics, can only benefit from diversity, as it leads to higher quality public services and products. It is such diversity operating under fair conditions on which our country has grown.

The provision of full funding for the completion of the separate school system will not impact negatively on the public high school system.

The Ontario Separate School Trustees' Association has estimated, using current data, that the public secondary system will lose less than 1.3 per cent of the present secondary school enrolment this year; this is approximately 12 students per high school. Also, less than 1.3 per cent of some 37,000 teachers employed by the high schools in Ontario will be affected by the decision to implement full funding.

It would seem, therefore, that programs offered for secondary students with the public school system should go relatively unaltered as a result of full funding to separate schools.

On the other hand, using the same data, it has been estimated that the Catholic secondary school system will gain 7,500 students as a result of completion of funding to these schools. This

increase will only serve to enhance the ability of this school system to provide a fuller range of secondary school programs in academic, business, vocational, and technological education.

Increased numbers of students in the separate school system would allow the schools to hire more teachers with various talents and areas of specialization, thus enhancing the teaching staff and enriching the academic and extracurricular programs of each school.

Detailed plans have been finalized by separate school boards to provide excellent educational opportunities for students wishing to attend separate secondary schools. All plans must meet the requirements established by the government's planning and implementation commission.

The separate school system clearly does not wish to jeopardize the quality of education of the public schools. We claim only equal opportunity to provide complete secondary school education to those who wish to continue their education under the separate school system.

Through continued commitment to equal education for all and through consultation and co-operation with the public school system of Ontario, a dual system of publicly funded education in Ontario can only thrive and become stronger.

Mr. Chairman: You mentioned you are a teacher in Welland county. What do you teach?

Mr. Rogers: I teach history and math.

Mr. Chairman: History and math? A strange combination. I could never get those two to work together myself. In Welland itself, or whereabouts?

Mr. Rogers: I am in Niagara Falls.

Mr. McKessock: It was mentioned earlier that this bill was precipitating a rise in religious intolerance. Do you see that happening around you?

Mr. Rogers: Personally, I do not. Catholic education has worked hand in hand with public education for many years now. I do not view it as anything that creates animosity.

Mr. Allen: In the Welland County Roman Catholic Separate School Board's jurisdiction, to the best of your knowledge, are non-Catholic teachers teaching in some of those schools and perhaps in the school you teach in?

Mr. Rogers: Yes. In my school, which currently employs 32 teachers, there are two non-Catholic teachers.

Mr. Allen: Have they been there for some time?

Mr. Rogers: Yes, they have.

Mr. Allen: How do they adapt to and fit in with the routines of the school? I presume it has a certain structure of religious observances and activities as part of the normal pattern of life in the school.

Mr. Rogers: To the best of my knowledge, they fit in very well.

Mr. Allen: They take the normal assignments and have no problem moving with classes and religious assemblies?

Mr. Rogers: They are accepted openly, and we have a mutual respect.

Mr. Allen: They have never had to lodge a grievance or a complaint?

Mr. Rogers: Not as yet.

Mr. Allen: Not as far as you know?

Mr. Rogers: No.

Mr. Reycraft: You mention in your brief that students attending Catholic schools are governed by the same regulations as students in public schools. That is not entirely the case. One difference is in the area of religious education credits. How many credit courses in religious education do students take in the school where you are teaching?

Mr. Rogers: They must take a religious education credit course once a year; so every year they are at the school they must be taking a religious education course.

Mr. Reycraft: With the implementation of the 16 mandatory credits under the Ontario Schools, Intermediate and Senior Divisions and the requirement of six Ontario academic courses for those who wish to go that route, that is 22; then four or five more make 26 mandatory courses. There is very little room left for options students might make. I am interested in your comment on that situation as a teacher.

Mr. Rogers: When students voluntarily come to a Catholic institution, they do so to uphold, re-establish, reaffirm and develop their Christian faith. Sacrifices unquestionably have to be made, but the students are willing to accept them to continue their religious education.

Mr. Jackson: Your specific school has had a chaplaincy program in place for many years. Has it been handled by the local priest in past years?

Mr. Rogers: Ours is currently being handled by a sister, a member of a religious convent right across the street.

Mr. Jackson: The reason I am raising this question is that there have been some differences

in the way the chaplaincy program has been approached in different schools, so it is a point of interest to me. What function does the sister serve as it relates to the specifics of your school in terms of her program of responsibilities, whom she interacts with and so on?

Mr. Rogers: She is hired solely as a chaplain. Her duties in the school are to provide liturgical celebrations for the entire school as well as for small groups; for example, classes. In fact, last Friday there was a football match; she is even in charge of masses for special organizations, and she arranged a special mass for team members.

She is also in charge of counselling any kinds of personal problems the kids may encounter which religious faith can perhaps help them overcome. She is also in charge of helping teachers with any problems they may encounter with certain individuals.

She is kind of all things to all people. She is a religious convener. She is also a guidance counsellor. She is a person you can rely on for that little extra bit of help in a trying situation.

Mr. Jackson: In the context of your school, is that in addition to traditional guidance counselling?

Mr. Rogers: It is in addition to it.

Mr. Davis: I would like to follow that up for a minute. You say she does liturgical celebrations. I assume she arranges for them and a priest does the celebration.

Mr. Rogers: That is right.

Mr. Davis: I thought there was something new in the Catholic church.

Mr. Chairman: You thought you were going to find out how enlightened Welland really was: an affirmative action program at work here.

8:50 p.m.

Mr. Davis: Yes. I would like to follow up on Mr. Jackson's concept of a guidance teacher. It is my understanding that guidance teachers not only have the prerogative of assisting young people in the selection of courses; they fulfil other functions in the school such as intervening when a student has difficulty with a teacher and counselling when a student has specific personal problems. Can you tell me the difference between your guidance counsellor and your sister who fulfils the role of chaplain in respect to the kind of responsibilities guidance teachers have held in the past, and I presume still hold?

Mr. Rogers: I would say she is there primarily to reinforce the child's religious beliefs as a way

to help him overcome any problems he might have.

Mr. Davis: Could not a guidance counsellor do that?

Mr. Rogers: I imagine a guidance counsellor could.

Mr. Davis: My second question has to do with a concern that is being raised in the public arena, and I would like your comment on it as a teacher.

As you are aware, with the completion of funding, young Roman Catholic students graduating from teachers' college have an opportunity to apply to two jurisdictions for employment, the Catholic board and the public board.

On their applications to the Catholic board certain criteria are requested dealing with life-style, and in many jurisdictions—and I am becoming aware that it is probably in most jurisdictions—dealing with some kind of letter or some kind of recommendation from the parish priest. In the interviews they are asked about their religious affiliation with the local parish.

They have two opportunities to find employment; so at any given point they can have a series of applications in both jurisdictions.

On the other hand, non-Catholics are for all intents and purposes discriminated against because they are non-Catholics. They do not have certain qualifications, so they are limited to applying to one system.

How would you address what appears to be an injustice, considering the Charter of Rights? As a member of the Catholic community and as a teacher, how would you address that?

Mr. Rogers: It is the mission of a Catholic separate school board to continue its education in regard to its principles. Therefore, the best way to address that is to hire people who already agree with these principles and practise them. That can only help reinforce the system.

Mr. Davis: Could a person who is an adherent of a specific faith, be it United Church, Muslim or Jewish, carry out those perceptions of faith in his teaching?

Mr. Rogers: I think so.

Mr. Davis: If that is a reality, there should be no barrier to a person applying even though he is not Catholic? I know they do that, but there is a perception.

Mr. Rogers: There is an indication that may be what is happening, in that we are picking up and trying to help displaced teachers from the public boards. We are accepting them into our employment as an indication we are willing to accept non-Catholic teachers in the system.

Mr. Davis: In the future—I am only asking you personally—you would be prepared to open that up down the road for more non-Catholic teachers to apply provided they adhered to the kind of religious faith philosophy?

Mr. Rogers: I would say as long as the integrity of the Roman Catholic separate school board is held intact, yes.

Mr. Chairman: That is the \$64,000 question: how you do the two things at once.

Mr. Bernier: Your school goes to grade 12?

Mr. Rogers: Grade 13.

Mr. Bernier: So there are three grades not being funded?

Mr. Rogers: Yes.

Mr. Bernier: Two now.

Mr. Chairman: If there are no other questions, thank you very much for coming from Welland today, Mr. Rogers; we appreciate it very much.

Our next presenter is David Diston; this is exhibit 695.

DAVID DISTON

Mr. Diston: I would like to give you a brief background on myself. I am a Roman Catholic and the father of six children, who have all completed high school. I am the founding chairman of two Roman Catholic high school boards, both in Niagara Falls. I am also a former Niagara Falls Roman Separate School Board trustee, a former separate school representative on the Niagara Falls District Board of Education and a former separate school representative on the Niagara South Board of Education.

During the time I served on the Niagara South Board of Education, I was honoured by being made chairman of an elementary school committee that negotiated working conditions with the elementary school teachers. Presumably, that meant the trustees on that board felt I had a genuine interest in the education of all children.

At present, my involvement in education, and Catholic education, has declined to that of a member of the board of governors of a Catholic high school. My presentation is a personal one and represents myself only. I could have, and if necessary would have, provided and paid for private Catholic education for my own children, even though at some significant sacrifice of living standards and old age security provision.

My interest has been and continues to be to help provide, for those unable to pay their own way, similar benefits to those I enjoyed as a

student in England and my own children were able to enjoy in Niagara Falls.

I have a general and strong support for the intent of Bill 30. I am content to leave detailed discussion of the technical contents of the bill to professional commentators more competent to comment on the specifics.

I have one point to make in this area, however. I do see massive merit in providing for voluntary transfer from one school board to another before invoking mandatory transfer rights or obligations. This should be good for both the public and separate school boards and their staff, and should help to slot round pegs in round holes. If someone must transfer, a willing candidate would be better than a forced, involuntary one.

I have three subjects to discuss on the bill and its public debate. Regardless of any and all debate or dispute, whether Catholics are guaranteed legal support of their high schools or permitted to be given support of these schools, I firmly and strongly believe and claim I am entitled under natural justice or human rights or whatever to determine under reasonable conditions the type of education my children will receive.

Many tens of thousands of voters or parents feel as I do, many perhaps with a less clear understanding of what and why they hold these to be their rights.

While I feel I have a constitutional right, as well as this personal or human right, to my choice of education for my children, I also support, though not on constitutional grounds, the right of other parents to choose reasonably the type of education to be provided for their children.

Increased costs: I have sandwiched this into the middle of my three points as being of lesser importance. If we as a society can justify using Ontario health insurance plan money to pay physicians to perform abortions and to fund hospital costs relating thereto, despite massive polarization of public opinion and positions, and despite significant questions of legality of many such procedures and many massive funding shortages in other areas of health care, we can also afford the costs of educational compromise.

In addition, I feel much of the cost of extra funding for Catholic high schools is a transfer of cost from private individuals and religious or charitable groups to the public purse rather than an absolute incremental cost. Perhaps the public high school budget has been having a free ride in cost because so many parents paid taxes there but sent their children to private, or so-called private, high schools.

9 p.m.

I fear and believe that if full funding or extension does not take place now, within a few years some or many Catholic high schools may collapse financially and the cost burden will be transferred to public funds anyway.

Divisiveness is a major concern of many objectors to extension or completion of the Catholic school system. I see this as a positive rather than a negative point, especially when well handled. It is an opportunity and a challenge rather than a blockade.

I read with distress that non-Catholic students attending Catholic schools in southwestern Ontario were said to be taught they would be condemned to hell as nonbelievers. I know with equal distress of mainstream non-Catholic parents who removed their children from public schools because of the teachings of fundamentalist, non-Catholic teachers. Both are unfortunate and regrettable. Both are probably misunderstood or misinformed. Both are almost certainly unintended and regretted.

The major difference between our Canadian culture and American culture is the difference between the great historical American melting pot concept of the mixture and destruction of ethnic and other cultural backgrounds into a single new American culture, and the Canadian concept and support of minority cultures and traditions of disparate groups. Surely the major diversity stems from different and differing religious backgrounds. In Canada, we do not all have to be the same.

Properly taught and sensitively compared, we can, should and must teach our children not to hate, despise or condemn to hell those of differing backgrounds and beliefs, be they Catholic or non-Catholic, Christian or non-Christian, black-, brown-, red-, yellow- or white-skinned, French- or English-speaking. The weakness surely is with people and our training of them, both parents and teachers, and not with the systems we criticize.

Our challenge is to teach our teachers, both public and separate, and our parents and children, our values and our appreciation of the values of others. Surely we can disagree with others' values without condemning them. Our children and grandchildren cannot be educated in a philosophical or religious vacuum even if we wanted them to be. Whether we like it or not, the teacher's philosophy must come through.

Please support caring parents in deciding what philosophic and religious positions will influence their children. Thank you for listening to my

support of Bill 30, my responses and concerns. I realize you must all be very weary after so many presentations. This individual thanks you for the opportunity to bring his concerns to you.

Mr. Chairman: We are fresh as daisies in this group. It was excellent.

Mr. Allen: Thank you for a thoughtful presentation. Can you tell me how recently you were a separate school board trustee and a separate representative on a board of education?

Mr. Diston: It was about 10 years ago when I lost an election, and I have not been back since.

Mr. Allen: I see. Have you been following events closely in your district none the less?

Mr. Diston: Yes, I have.

Mr. Allen: As I recall, one of the points of contention between the separate and public boards in the region is the future of French education and whether there will be duplication of programs and facilities, or whether some compromise or arrangement will be worked out between the two boards so the bulk of students will not be split with the consequent diminution and dilution of programs available to students in those French streams. Do you have any observations on that, having had at least a bit of experience on both sides in the two-board situation?

Mr. Diston: My recollection of the situation in the Niagara South Board of Education district, which is the same as the Welland County Roman Catholic Separate School Board district, is that in the city of Welland all the French elementary schools are public schools, and in the rest of the area all the French elementary schools are separate schools. There is one high school, which until 1965 or 1970 was a private Roman Catholic high school, and subsequently became a French-language public high school in the same building.

My definition of "reasonable" would have to apply here, and would initially require a compromise position because there are only sufficient students to justify one French-language high school. I support fairly small schools but, even so, I believe this would still be the case. We may find as time passes that the weight may move in one direction or the other, I do not know which, and that may in the future warrant a re-evaluation of that shared situation. However, I believe we can have only one French-language high school in our area at present.

Mr. Allen: Would you advocate the addition of religious education options in that school, and perhaps the provision of chaplaincy services, as a

satisfactory compromise that might enable it to continue as a public facility, let us say?

Mr. Diston: The last time I was aware of how it operated it seemed to be as a Roman Catholic school for all practical purposes.

Mr. Allen: In other words, it was already in that mode.

Mr. Diston: To be serious about it, I would expect to be able to add religious education, chaplaincy services and things of that nature.

Mr. Allen: Thank you very much.

Mr. G. I. Miller: We have been around in Ontario and listening. In rural parts of the province, where the population, and particularly the Catholic population, is small and there is an excess of facilities, do you feel those could be shared to keep communities together? Do you see that as workable?

Mr. Diston: I do not believe in sharing for the sake of keeping the community together, because I do not believe it serves to do that any more than having two separate schools. The area in which I see a necessity to share facilities in a compromise position is where there are too few students in total or separately to justify having two high schools.

If you have a great big high school that holds 2,000 students, you can split it into two smaller ones. If you are in a community where there are only 300 high school students, I doubt that it is practical to split that into two groups of 150 or one of 100 and one of 200. However, in any community in which there is a sufficient number of students of either type, separate or public school supporters, they should be able to have their own school.

Mr. Davis: On that point, do you mean sharing a building or having separate buildings?

Mr. Diston: It depends on the circumstances. I prefer separate buildings. I believe they work better. If you have only one big school, you may have to share the building.

Mr. Davis: I want to take you back to the community where there are 800 students: the split is roughly 400-400 and you have a school that can accommodate up to 1,000, is it your opinion we should build another high school there for one of the coterminous boards?

Mr. Diston: No.

Mr. Davis: Then I misunderstood you.

Mr. Diston: I was not talking about building. I was saying that if there were two 400-pupil schools they should each have one. If you have a school that accommodates 1,000 students and

you have only 800 in total, I believe you would probably have to share the facility because you cannot justify wasting that money and building another one.

Mr. Davis: What I hear you saying is that in roughly 184 jurisdictions across this province where there is only one high school—and in many of those cases, even though there are 1,000 students the rated capacity is probably 1,200—those schools would share one building. In urban or growth areas, where there is a possibility of taking over a school that is going to be closed because of declining enrolment, you would prefer that it become a separate or public school, depending on the jurisdiction.

Mr. Chairman: If there are no other questions, thank you very much for a very thoughtful presentation. We are always impressed by people who come any distance like this as private individuals to make their feelings known to us on whatever side of the issue. It has always been a great help to us.

The final deputation for the evening is S. Norman; exhibit 696. When you are prepared to go ahead, please introduce your colleague to us so we have his name recorded in Hansard and then proceed with your statement. I remind you to speak directly into the microphone so you will be picked up well.

9:10 p.m.

SYDNEY NORMAN
JOHN ANDREWS

Mr. Norman: This is my son-in-law-to-be, John Andrews. I am Syd Norman. We are appearing before you as private citizens, if there is such a thing as private these days.

Mr. Chairman: You are appearing privately on TV at the moment, but go ahead.

Mr. Norman: Good evening to you all out there. My intention in appearing before you stems primarily from remarks made by Cardinal Carter of the Roman Catholic church.

Mr. Carter has been writing in the newspaper of late that the funding issue will bring out the bigots who are opposed to the Roman Catholic church. Clearly, these comments by Mr. Carter are designed to embarrass and humiliate protesters and politicians who are uneasy about the consequences of bringing the state and a large religious organization together in a union that can only favour Roman Catholicism and enhance its power over Ontario.

I am a serious Bible student and I know, as do many other Bible readers, that Mr. Carter is not

justified in making such remarks to influence the committee and others. It is well known that the Bible does not speak well of Roman Catholicism, and it is my intention to show this committee the relevant passages from scripture and thereby take away the notion created by Cardinal Carter.

To protest against Rome is not bigotry but instead is the result of serious Bible study. It is the accumulated evidence found in the Bible that points the finger of God at Rome and its papacy. History, especially Roman Catholic history, shows us what can and does happen when church and state unite into a power so huge that it can get away with burning dissenting men and drowning their wives in bathtubs and animal drinking troughs in the name of God who said, "Love your enemies." God's rule.

The entire historical overview of the Roman Catholic papacy, riding as it were on man's empire, is given to us by symbol, numbers and by obvious inference, times so numerous that it is impossible to miss seeing it. Cardinal Carter is quite wrong. Protestors are not bigots; they are Bible-informed people.

I am going to ask John to read to you a short chapter, 2 Thessalonians 2. I recommend that you all take a second look at this chapter at home; it is most profound.

Mr. Andrews: "Now concerning the coming of our Lord Jesus Christ and our assembling to meet him, we beg you, brethren, not to be quickly shaken in mind or excited, either by spirit or by word, or by letter purporting to be from us, to the effect that the day of the Lord has come. Let no one deceive you in any way; for that day will not come, unless the rebellion comes first, and the man of lawlessness is revealed, the son of perdition, who opposes and exalts himself against every so-called god or object of worship, so that he takes his seat in the temple of God, proclaiming himself to be God.

"Do you not remember that when I was still with you I told you this? And you know what is restraining him now so that he may be revealed in his time. For the mystery of lawlessness is already at work; only he who now restrains it will do so until he is out of the way. And then the lawless one will be revealed, and the Lord Jesus will slay him with the breath of his mouth and destroy him by his appearing and his coming. The coming of the lawless one by the activity of Satan will be with all power and with pretended signs and wonders, and with all wicked deception for those who are to perish, because they refuse to love the truth and so be saved. Therefore God sends upon them a strong

delusion, to make them believe what is false, so that all may be condemned who did not believe the truth but had pleasure in unrighteousness.

"But we are bound to give thanks to God always for you, brethren beloved by the Lord, because God chose you from the beginning to be saved, through sanctification by the Spirit and belief in the truth. To this he called you through our gospel, so that you may obtain the glory of our Lord Jesus Christ. So then, brethren, stand firm and hold to the traditions which you were taught by us, either by word or mouth or by letter."

Mr. Norman: A point I would especially like to ask you to note is at verse 3 especially. If you go away from here this evening learning nothing more from me on Bible matters than just this one thing, it is that he says, "Let no one deceive you in any way; for that day will not come"—that is, the second coming of Christ—"unless the apostasy] comes first, and the man of lawlessness is revealed..."

That passage sets the stage for my comments from the Prophet Daniel and from the Book of Revelation. Just a few passages will not take too long, and you will get something out of it.

One thing many Christians do not realize is that there is supposed to be an apostasy, and it has a man as a leader. We will carry on now with the text.

Please note that we are told there will actually be a religious rebellion. Not many people know there will be a religious rebellion. It has a leader, a man. He creates a temple, sits in it and declares himself to be God on earth.

The big point here is that we can identify the church and its leader by noting some key passages of scripture. We know there is to be a religious rebellion seen in the form of a church. I submit to you that the Prophet Daniel reveals in Daniel 7 that the church comes from the Roman Empire.

There were to be four major empires in Europe, according to the prophet, and there were. According to Daniel 7:3-8, there were to be the Babylonian, Medo-Persian and Greek empires and then a fourth, unnamed kingdom of iron, which turned out to be the Roman Empire. This kingdom was to become iron and clay mixed together, unable to stick together. That has been the state of Europe ever since the collapse of the Roman Empire. All this was prophesied by God long before it happened and passed on to Daniel for our benefit. "He that hath ears to hear, let him hear."

9:20 p.m.

To show you that we protesters are not bigots but people who are enlightened by what we read in the Bible, here are a few passages from scripture that will give you a scenario you will never forget. We could start by moving quickly to the Prophet Daniel and starting at Daniel 2. Here is the incredible thing. If you have all been brought up as Christians of some faith, you probably went to Sunday school and they probably taught you about the dream the great politician Nebuchadnezzar had. Through a scenario of things, he ends up talking to Daniel, the Jewish prophet. He cannot remember the dream. However, he is terrified by it. He gets Daniel and asks if he can tell him the dream.

Daniel prays to God. God says, "I am going to give you the dream and you are going to tell Nebuchadnezzar what it was." Here is Daniel giving it, starting at verse 32, "The head of this image was of fine gold, its breast and arms of silver, its belly and thighs of bronze, its legs of iron, its feet partly of iron and partly of clay."

It goes on to say that while he is looking, a stone without hands is cut out of a mountain and it smashes the image and it is blown away. The stone grows up and fills the earth. The stone, as we learn, is Jesus Christ coming back to establish God's kingdom on earth. In the meantime, in our time, we have truth and the apostasy.

A little further down, in verse 37, he says, "You, O king, the king of kings...." Nebuchadnezzar is the king of gold. He goes on to lay the four of them out. Media-Persia is the next one, the kingdom of silver. The next one, the kingdom of bronze, is the Greek. Unnamed, he speaks about a terrible kingdom and its metal is iron. We know now looking back that it was the Roman Empire. In the end he says about all this, in verse 44, "And in the days of those kings the God of heaven will set up a kingdom which will never be destroyed...." That is what many Christians today are waiting for, this kingdom to be established on earth.

What we are trying to prove is that this fourth empire, the Roman Empire, is the empire the church comes out of; it is simple to do because when we turn to Daniel 7, he begins to talk about the scenario of the four kingdoms. We see it in Daniel 7:3-8. I again appeal to you. I know this sounds like fairytale stuff. I have studied this for many years, and I am convinced—brainwashed, if you want to call it that—by the Bible that it is the word of God and that these prophecies have all come to pass. Those four kingdoms came; so why not this thing that comes out of it?

The thing is talking about the four beasts. When it comes to verse 8, he says that while he was contemplating the horns of the fourth beast there were 10 horns—kingdoms. "I considered the horns, and behold, there came up among them another horn, a little one, before which three of the first horns were plucked up by the roots; and behold, in this horn were eyes like the eyes of a man...."

We heard about a man earlier in 2 Thessalonians, this man of lawlessness who will lead this organization of religious rebellion in the world and a mouth uttering great oaths.

Here is a small point. It just so happened that in early Roman Catholic history the papacy-led empire defeated and destroyed the Vandals, Huns and Lombards, and they made a medal to commemorate the action. You can see it. It is in libraries. It is in the Vatican libraries. It is not hidden away. It is there. There is the fulfilment of that thing. We are on track.

Verse 11 says, "I looked then because of the sound of the great words which the horn was speaking. And as I looked, the beast was slain, and its body destroyed and given over to be burned with fire."

To carry on, verse 17 backs up what I am saying. He says, "These four great beasts are four kings who shall arise out of the earth." We are on the right track there.

He says, in verse 19, "Then I desired to know the truth concerning the fourth beast..." and, in verse 20, "...and concerning the 10 horns that were on its head and the other horn which came up and before which three of them fell." Three of those 10 horns, or 10 kingdoms, of the early Roman Empire are the Vandals, Huns and Lombards—which I gave you there. Take a look in the history books. That is where I found it.

It goes on to another thing; this is an additional point. "As I looked, this horn made war with the saints, and prevailed over them until the Ancient of Days came"—Jesus Christ—"and judgement was given for the saints of the Most High, and the time came when the saints received the kingdom."

In verses 23 and 24, the angel explains to him about this fourth beast and the horns that come out of it. "As for the fourth beast, there shall be a fourth kingdom on earth"—looking back on history, we know it is the Roman Empire—"which will be different from all the other kingdoms, and it shall devour the whole earth, and trample it down, and break it to pieces"—the Roman world. "As for the 10 horns, out of this kingdom 10 kings shall arise, and another shall

arise after them; he shall be different from the former ones, and shall put down three kings." Which he did; I gave you the names of the three kings he subdued.

Verse 24: "He shall speak words again the Most High, and shall wear out the saints of the Most High"—peculiar thing that he does—"and shall think to change the times and the law;"—there is no problem there; we are operating on the Gregorian calendar, which was created by Pope Gregory—"and they shall be given into his hand for a time, two times, and half a time."

I do not want to labour you on this. We can show from other Bible portions that is 1,260 years. Looking back now, as we can at this time in history, in 1870, the Roman Catholic church lost its temporal power when Garibaldi's Italian forces overthrew the papal forces and the Pope became a prisoner in the Vatican. That is all school history, simple stuff, but if you go back 1,260 years from 1870, you arrive at 610. Historically, what happened then? Anything? It turns out in the history books that something did happen. The Roman emperor of that time officially handed over his emperorship to the Pope.

The Pope at that time, in 610, became emperor and Pope of the Roman Empire. From that point on he had the power to persecute and to kill the saints, as it talks about here. From that point on went the persecutions, which reached their peak in the 15th and 16th centuries, when the Anabaptists and other groups were mercilessly murdered and burned and drowned by the Roman Catholic church.

If we carry on a little further, to one small passage in Daniel 8:12, where it is talking about the horn again and the things they do, and it says only three things, "and the truth was cast down to the ground, and the horn acted and prospered." If that is the church, they have thrown truth to the ground and they have reformed their will through the centuries and they are prospering.

You might say we have not identified the church system. But with other verses as well as with what we have given you, I think we have shown that this thing does come out of the Roman Empire. So we are looking pretty closely at home, as it were, when we look at the church.

What about the leader? Can we identify the leader in the scriptures? The answer is yes, we can. We can identify him by number. In Revelations 13—and I think I have that marked there—we have the two systems of the church down through the ages. But that is not what we

are after, and I am not going to labour you with that.

I am going to ask you to look at Revelations 13:18. He says, "Here is wisdom." There is a warning. You have to be smart to see this. "Here is wisdom. Let him, in his understanding, count the number of the beast, for the number is that of a man"—we are down to a man again—"and his number is 666."

9:30 p.m.

We would say: "What a ridiculous thing. How would we ever identify anybody with the number 666?" We are looking at Rome; it is the fourth kingdom. The horn making the boasts and going through all the scenario we read to you comes out of that empire. The Roman Catholic church came out of the Roman Empire, and many things it has done are actually listed in the scriptures. I gave you a couple of them, the calendar being one.

What do we do with 666? First of all, surprising as it may seem to you, in the year 666, Pope Vitalian made a decree declaring Latin should be the official language of the Roman Catholic church. That does not necessarily identify the man; but there is more.

When we look at the papacy, the papacy looks at us, and it says, "I have two names." His personal name in English is high or chief priest, but in Latin, the official language of the church, it is *dux cleri*. His official name in English is the Vicar of the Son of God—it sounds very impressive; that is what he calls himself—in Latin, however, it is *vicarius filii dei*.

The Latin language has, as does Greek, an equivalent numerical language. For every Latin letter there is a number, and anyone can go to the library and look up what this numbering system is.

What does *dux cleri* add up to in Latin? I will not hold you in suspense; it adds up to 666. What does *vicarius filii dei* add up to in Latin? That big long thing surely could not add up to 666, but it does. The Latin equivalent numbers for those two names add up to 666.

I do not know what it takes to convince you, but we have shown three proofs with the 666 that identify this man as the Pope. I will not labour that particular one any longer.

Revelations 17 is my last one.

Mr. Chairman: You have about five minutes to wrap up.

Mr. Norman: I am trying to get through it. I am going to go to the last verse. In this chapter, he is talking about a woman. There are some changes and what not given to the names of this thing; I do not have time to go into how it works

out, but it does. Believe me, it works out very well, and the last verse of chapter 17 says, "And the woman whom you saw is the great city which reigns over the kings of the earth." This prophecy was given to John on the Island of Patmos. It says so in Revelations 1. It does not say in 95 AD, but historically they know that is when it happened.

I ask you to consider one simple question. "And the woman whom you saw is the great city which reigns over the kings of the earth." Who would John think it would be in 95 AD? He would look northward across that stretch of the Mediterranean and he would look at Rome. Rome would be the city that rules over the kings of the earth at that time. Rome was at its height in those days.

What does it say here? "And upon her forehead a name was written"—he is talking about this woman. "He carried me away in the spirit into a wilderness, and I saw a woman sitting on a scarlet beast full of blasphemous names, having seven heads and 10 horns." She sits on seven hills, and there are 10 kings in the empire. There are today in the European Community still 10, exactly. "And the woman was clothed in purple and scarlet and adorned with gold and precious stones...and upon her forehead a name was written, 'Mystery, Babylon the great, mother of harlots and of the abominations of the earth.'"

I am going to close with my notes, because I am going to be coming up to the limit here.

I hope that by showing you these relevant prophecies and passages, I am removing from

your minds any influence you may have received from Cardinal Carter's remarks in the papers belittling protesters against Roman Catholicism, and perhaps I can get you to ask yourselves why it is that Roman Catholic priests must be called "father" when Jesus Christ forbade the use of this word when he said, "Call no man father on earth, for one is your father, He who is in heaven."

Surely to protest has biblical foundation. The very book on which they base their claims condemns them. Surely the fears expressed by so many boards concerning church-state union, especially when it is discriminatory, put together with the warnings of biblical prophecy as it pertains to Roman Catholicism, will give you cause for alarm and leave your minds clear to come up with your own God-given judgement on this funding.

Mr. Chairman: I want to assure you that the members of this committee did not need any purging of their thoughts. They all have their own minds and will make them up as they go along.

I would add, in concluding this evening's events, that it is only my profound belief in democracy and your right to say what you say that has allowed me to keep the microphones on here. You have not addressed Bill 30 for the entire time you have spoken and in my view have said some things I would normally not let go, but I have this evening.

The committee adjourned at 9:37 p.m.

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No. S-50

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, September 25, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, September 25, 1985

The committee met at 10:06 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: Bereft of my gavel, we will start. We are a bit late. We have a very full day and I advise the members, and will advise the others as they come in, that I am going to be fairly strict with time allocations today, so we manage to maintain our sanity to the end of the evening. Speaking personally, mine was slipping by the time of the last deputation last night.

Mr. Allen: You had other reasons.

Mr. Jackson: Are we meeting this evening?

Mr. Chairman: No. I had you scared for a second, did I?

ONTARIO CHAMBER OF COMMERCE

Mr. Chairman: Our first deputation is from the Ontario Chamber of Commerce. Since I only have Ms. Jackson's name, I will allow you to introduce yourselves in any way you like for Hansard. I would ask you to speak directly into the microphones, for the TV cable pickup especially. It helps the quality.

Mr. Lawson: Thank you. My name is Doug Lawson. I am the chairman of the board of the Ontario Chamber of Commerce. With me, to my left or your right, is Linda Jackson, who is the chairman of our education policy committee. To my right is Elaine Roscow, who is the assistant general manager. On my far left is Charles Clarke, who is a member of the executive and also a participant on the education committee.

I want to say first that I admire your fortitude, not only for today, but for those before and after. I compliment you on both that and your patience in hearing the large number of delegations.

By way of introduction, you should know you are looking at people who are not a teachers' group or teachers' union group, which may be a bit of a change for you from some of the delegations. We are a business organization—in fact, the largest in Ontario—representing over 55,000 member businesses throughout the whole province. We have a special committee that deals

with matters of education, which has prepared a brief for you today.

We were delighted to find out that something we as a group had requested as recently as May at our annual meeting, when our constituency asked the government to have public hearings on the matter, was brought into being, and we are pleased to be here.

I would like to turn the submission over to Linda Jackson, if I might. Along with other members of the committee, she will be happy to answer any questions after her presentation.

Ms. L. Jackson: Thank you. Good morning. As chairperson of the Ontario Chamber of Commerce education policy committee, I have been elected to be spokesperson and briefly outline the concerns of our members about the extension of funding for the Catholic separate schools. I believe our organization is one of the few, if not the only, business organization that has asked to speak to you. Our members feel very strongly about the funding issue.

Our concerns are twofold. First is the quality of education received by our future employees. In business, we have had to look for ways to become more effective and efficient. The cost of duplication of effort cannot be tolerated in the private sector if a company is to survive. Our submission contends the public funding of two school systems is a prime example of unnecessary expense and duplication of effort without any additional value being added to the education system.

There will undoubtedly be duplication of teachers as public school teachers are declared surplus but hiring of new separate school teachers is approved. There will be duplication of costly programs to provide commercial, technical and special education programs in two school systems, and of facilities as buildings and equipment are deemed to be required in one neighbourhood or community while lying surplus in another, probably adjacent, one.

The second major issue is cost benefit. Many figures have been estimated by the different groups debating the pros and cons of additional funding. One such figure, I believe, is \$427 million over a three-year period. As business people, we must question the wisdom of substantially increasing the tax burden of com-

mercial businesses and private individuals at a time when fiscal restraint is paramount. Recognizing that the economic pie is only so large, and with the unemployment figures of our young people in the 20 to 25 per cent range, would spending \$400 million on job and skills training not make significantly more political and economic sense?

We are very pleased you have given us this opportunity to present our views. However, we are extremely disappointed that the implementation process is proceeding without detailed knowledge of the costs involved, without the recommendations of this committee and without the constitutionality of these decisions having been decided. We would be pleased, as Mr. Lawson commented earlier, to discuss any of our ideas and our submission with you this morning.

With those brief comments, I would like to open the discussion.

Mr. Chairman: I think you are right that you are the only business group we have had come before us officially at this point, although I may be wrong and members might correct me.

I appreciate the fact that people without a direct vested interest are participating. Most have been individuals, but there have been some other groups. You are the first business group, so I am very pleased you are here.

It is likely to be a bit slow getting started, as it always is in the first questioning.

Mr. Allen: Your presentation and remarks were remarkably brief and to the point. We have had every size of brief imaginable and yours is at the minuscule end, but none the less important, and a more neatly focused presentation.

My question hinges on what really is a very difficult element to weigh in, that is, the whole quality of education versus costs and cost benefit.

Is educational value being added with the new money going into the system? Does your concern range to the quality of education that is offered in the separate public system, as well as what I call the public public system? That is the nub of the question. Are we prepared to put additional money into what is, in effect, the second public system in the province?

As your brief asks on page 2, ought teachers in that system to carry heavier loads at less pay while they are trying to teach large numbers of Ontario's children? Should that system have the additional capacity to field a broader range of programs, however it is done, on a shared basis, or what have you?

Could you respond to those questions? Are you concerned, and if so in what way, and how would you address the problems of the separate public system, thinking of the quality of education for all children in Ontario?

Ms. L. Jackson: In regard to the use of the moneys for programs that could or should be provided in two separate school systems, from a business perspective, this is where the quality comes in. These individuals will in most cases find themselves in the business world. The spending of the moneys to provide the duplication of systems, when the moneys could be spent on training programs, technical programs and in various other educational areas in the school system, is the quality issue we are referring to.

Obviously, the curriculum of the academic programs is established by the ministry, so I do not think the quality with respect to the subjects being taught is at issue. It is the duplication that is involved with the moneys being spent in other areas.

Mr. Allen: The whole burden of the ministry's thrust with the Ontario Schools, Intermediate and Senior Divisions program, as I understand it, was precisely a concern business people had that students coming out of the core programs, not out of the technical programs, were not performing adequately and that therefore it was necessary to improve that dimension of education. If that is what this money is spent on in the separate public system, would that not be an enhancement of the labour force and, as far as you are concerned, would that not be of considerable benefit?

Ms. L. Jackson: Certainly the chamber has also made submissions to the ministry in respect of various programs, English skills, both written and oral, being a prime example. Yes, if the funding of a duplicate system does enhance that, then we could take your point. I fail to see how that would come into play though. Why would the extension of the funding provide better skills in a curriculum that is already laid down?

Mr. Allen: In a number of ways, as I pointed out. The work load and the pupil-teacher ratios have a bearing on quality. They are much higher in the separate system than in the public system.

Another matter that must be of concern to you is the question of drop-out. One of the major problems in the continuity of separate education in the province is that great break at the end of grade 10 into grade 11, just when young people are in their teens, are concerned about peer relationships and need continuity of everything from extracurricular activities to academic pro-

grams in order to maintain continuity in their lives.

For them to continue with the kind of advancement they have made in one system and then have that drop suddenly at grade 10 to go into another school setting, provides a great opportunity for drop-out, and that has to be one of our major problems. There are still an awful lot of kids in the province who drop out of school at grade 10 or 11, in that range of their education. I would have thought that, looking to quality, you would want to see that problem addressed.

Ms. L. Jackson: Our submission is that one school system would solve that very problem of having to make a shift after the end of grade 10. One publicly funded school system would provide that continuity.

Mr. Allen: My last comment, then, is that if wishes were horses, beggars would ride, but we do not have that luxury.

Mr. Jackson: The chamber's brief makes essentially only one recommendation, that of a unified school system. One in the range of options that our committee is looking at is this notion of creating in the legislation an opportunity for coterminous boards to create co-operative administrative units. I do not want to use the term "unified school," because it seems to be too dramatic an example. We are talking about something in the middle, where, as business does with subsidiary companies, it will create some unions in administrative practices.

Do you support the notion that this mechanism should exist in legislation?

Ms. L. Jackson: In philosophical terms it sounds quite reasonable. It is certainly working towards one way of providing a single system, a more unified system or, as you say, perhaps a sharing of common facilities. Yes, that would work towards that end.

10:20 a.m.

Mr. Lawson: I might add, Mr. Jackson—and this is the thrust of the chamber's brief—that the question of cost with respect to your suggestion regarding the government's proposal, or any variation of that, is probably our foremost concern. Then there is Mr. Allen's question about cost benefit and how to measure it. That is a problem that we acknowledge, but we are quite concerned that, until this point, as business people and taxpayers, we have not had the numbers on the table.

Sure, we have read estimates, but they seem to change with the calendar. It does not make sense to us, politics aside, from a purely business

standpoint, to go into any venture, whether it be a hybrid system, such as you just suggested, or a fully funded system, without understanding what it is going to cost this province. If there is any central theme in what we have said in our brief, that is it. We are disappointed because that issue has not been fully addressed and we are into an implementation stage and it may never be addressed.

Mr. Jackson: If we are going to talk about purist economics in terms of this bill, then perhaps we can digress to the issue of education funding in this province. The chamber has taken a strong position. As a member of a chamber and a school board, I worked on the issue of pooling industrial and commercial assessment. The chamber's position on that is very well known.

In your opinion, is the current level of provincial funding for our education system adequate? If it is inadequate, do you agree with the current figures, that we should be moving away from 47 per cent and closer to 60 per cent? Aside from this bill, I want to get a handle on the public funds the chamber says should be contributed to education in this province.

Ms. L. Jackson: I am not sure we are in a position this morning to answer that question without having the opportunity to do a little more homework; those are pretty substantial numbers. Obviously, our policies and our whole thrust are always on getting the best value for the moneys spent.

We have some concerns in the area of quality. I do not feel comfortable this morning trying to address the question of whether that figure is correct at 47, 50 or 60 per cent or whether there are ways of making better use of that 47 per cent.

Mr. Jackson: I would like to pursue this further. You have made a brief to the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education which addressed the whole issue of—

Ms. L. Jackson: The best use of resources, facilities and such.

Mr. Jackson: It is fair to say that during the last eight years one of the greatest weapons the government has used to force school boards to be cost efficient and rationalize service has been the application of the grant formula. The trustees have had to bear some of the pressure of passing that on to the residential tax base. I happen to be one of those who feel we have squeezed the system far enough. I am satisfied that in the boards across this province we have taken all the fat out of the system.

I am looking for some response from the chamber, given the amount of activity you have had in education, co-operating at a local board level, developing co-operative education programs, and understanding the funding base in general terms. Now, with the introduction of this bill, surely you are in a position to comment on whether this province is sufficiently funding education and whether the quality of education is suffering in terms of linkage programs for vocational training and for the skilled work training that business needs in this province.

I am having difficulty with your being able to come forward with a position, but being unable to comment in this very important area.

Mr. Lawson: I would like to try to answer, if I might, Ms. Jackson.

If you look at the briefs we have put together, not only before this committee but also on previous occasions, you will see we have assiduously and intentionally avoided answering the very question you ask. It is not because it is not a good one, it is because we are not experts with respect to how and what volume of dollars should be spent.

We have said that, in certain areas, education may be lacking with respect to what business is expecting, but we have never, to my knowledge at least, attempted to say more or less funds should be expended with respect to any particular program. As you so well put them, we have said things such as: "Let us pare the fat from the system. Let us keep the pressure on. Let us be economic. Let us switch emphasis. Let us provide programs that better suit business."

We candidly confess that as a business organization we are not experts on which dollar goes where. While your question is a good one, we do not purport to be experts in our ability to answer it.

Mr. Jackson: Are there any other questions, because I have one more?

Mr. Chairman: No, go ahead.

Mr. Jackson: If I can go back to your central theme about a unified system, do you agree the current arrangement for secondary schools in this province should be changed, so the Roman Catholic should be either a whole system or no secondary system at all? I would like your reaction to that point.

Second, are you satisfied that, financially and administratively, the elementary Catholic system is operating in the best financial interests of the province? I would like to know your distinction. Are you looking at a system-wide unification or

would you be sensitive to the current arrangement at the elementary level?

Ms. L. Jackson: Going to your first question, I think certainly the majority of our members feel that, if the options were available, the ideal situation would be to have one unified school system, whether the cutoff point were at the high school level or starting from kindergarten.

Mr. Jackson: From kindergarten to grade 13.

Ms. L. Jackson: In the ideal situation, yes.

Mr. Jackson: Thank you.

Mr. Chairman: In reporting the views of the Chamber of Commerce, you must have a large number of your members who are Catholics, who have Catholic businesses and who have found it difficult to direct their tax dollars to the separate school system because of the way the structure is set up.

Is there an element in your organization that takes a divergent view from the presentation you made today? I was thinking specially of the Catholic community that might feel it has not been able to support the separate school system appropriately to this point, even at the elementary level.

Mr. Lawson: You have put your finger on the problem with which you probably saw us struggle when the questions were being answered. It was not that we were attempting not to answer the questions, but it is impossible for a business organization that has a constituency such as ours to have a single, unified view on most of the things about which we have been questioned. It is for that reason our brief is not voluminous and concentrates on the question of cost and accountability. I think that perhaps answers your question. Yes, the divergent views are there and we have been most careful to really extract from them the ones we have found in common.

Mr. Chairman: I presumed that was the case and that was the answer I was wondering if I would get.

10:30 a.m.

At the conclusion you mention the unified board. Although it makes sense in straight economic and management terms, it also raises some very serious questions about the control over systems. I would have thought that split would have shown itself again within your community, more than your capacity to actually come forward with that. I was interested in your ability to say you wanted to go in that direction at this point.

Ms. L. Jackson: In that respect, I was trying to answer the question with respect to the majority of our members. This subject was discussed at our annual convention and was voted on by the delegates representing the various member communities. It is from that discussion and vote of support for the proposal that was put on the floor that we are here today.

As Mr. Lawson said, we do not try to indicate that we represent 100 per cent of our members, but through the democratic process with voting at the annual convention by delegates from the member community chambers, we do have a very strong majority position to put forward.

Mr. Chairman: I was wondering how that had developed. That is quite helpful.

Unless other members have questions, in conclusion I think it is fair to say that a number of your concerns about duplication and cost factors are concerns the committee has had. Obviously, a number of deputations have had them. We will be looking at ways, and the ministry has said it is looking at ways, to make sure there is no unnecessary duplication of capital, structures or equipment and that there is as much sharing as possible within the system to complement rather than duplicate. One of the things you will see the committee struggling with, if we ever get to clause by clause, will be to add those concerns to the body of the legislation or to the regulations.

Mr. Jackson: I want to compliment the Ontario Chamber of Commerce. About five years ago the chamber got involved in local boards across the province. They were very concerned about the increase in residential taxes. At that time, their posture was one-directional. In the process of the last five years, we have seen, at chambers all across this province, a willingness to work with local school boards.

For purposes of the record and on behalf of the members, I want to say we are very pleased with how hard you have worked as an association at the local and provincial level with school boards in the areas of co-operative education and so on. We are pleased you have been able to come forward. I was hoping to give you a forum to participate in a more active discussion, but you respect the hour, just as our chairman does.

Mr. Chairman: Now I have my gavel, I have my power back. I would like to thank Mr. Lawson, Ms. Jackson and their colleagues for coming today on behalf of the chamber. It was very helpful.

Our next presenter is from the Simcoe County Board of Education. For those members who were not here when we started, because of the

schedule we have and the weight of our deputations, if I can put it that way, I am going to be fairly strict with the time today to keep this on schedule as much as possible. It is the yellow-orange document that has been distributed.

I have several names here, but invariably when I try to pick them out I get them wrong because somebody has changed. I will allow you to introduce yourselves instead. I remind you to speak directly into the microphone. You have essentially half an hour for the presentation and for questions from the members.

SIMCOE COUNTY BOARD OF EDUCATION

Mrs. MacKenzie: I am Mrs. W. MacKenzie and I am chairman of the Simcoe County Board of Education. With me this morning is our vice-chairman, Mrs. M. Erichsen-Brown, and our director, Richard Boswell. Richard Boswell and I will be making the presentation. Mrs. Erichsen-Brown is sitting with us, but due to a very severe cold will not be speaking this morning.

I would like to extend on behalf of the Simcoe County Board of Education our appreciation for this opportunity to express our views with regard to Bill 30. We recognize our presentation comes at a time when many voices have been heard by the committee, when the constitutional issue is before the Court of Appeal, when measures to provide interim funding are in place and when the issue of trustee representation has been temporarily addressed.

Nevertheless, we wish to add our views to those of others who are opposed to the extension of funding to Roman Catholic secondary schools and who are concerned about the effects of this decision on the quality of education in this province and in our county.

We recognize as well the limits of a consultative process that seeks advice after the fact. We find it difficult to take much solace in being able to address the mechanics of the implementation of a policy to which we are fundamentally opposed. The failure to provide for prior public debate on one of the most significant policy decisions in Ontario's political history has caused a very significant portion of Ontario's education community to become alienated from its government.

The committee is well aware that the ability of an elected body to govern and to provide leadership in a democracy is intimately dependent on a high level of mutual trust between legislators and electors. It is regrettable, therefore, that the trust of so many has been damaged

by the promotion of bad policy and by what can most charitably be termed an unfortunate political process.

We trust that if some form of proposed legislation is to prevail, the role of this committee will be to provide more than a cathartic exercise for those who are upset by the legislation. We trust also that the minds of the members of the committee are not closed to the practical difficulties of the 12th draft of the legislation or to the folly of an entrenchment through publicly funded state religious schooling.

We contest both the prudence and the legitimacy of extended funding and, by resolution of the board, we support the position of the Metropolitan Toronto School Board on the constitutional issues.

Although we have co-operated with our coterminous separate board, we cannot support decisions made locally and approved provincially that will see the proliferation of small secondary schools in Simcoe county. In this latter regard it is unfortunate that the board's willingness to co-operate with its coterminous board and with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario has been construed by the chairman of the commission to mean both explicit acceptance and implicit approval of the policy to extend funding and of the planning of our coterminous board. Neither attitude is held by the board, which sees as its first duty the delivery, promotion and protection of public education in Simcoe county.

Our presentation does not comment on every aspect of the proposed legislation about which we have concerns. Rather, it is focused on issues most pertinent to our local situation, particularly with regard to finance.

It will be helpful to the committee to have some brief background information on Simcoe county. Key factors in the educational enterprise in Simcoe county are size, diversity and distance. When the board was formed in 1969, it amalgamated school boards that previously existed in 37 separate urban and rural communities.

Geographically the county is one of the largest in Ontario, so that most decisions related to the provision of educational services are made more difficult because of the significant distances between schools, particularly noticeable at the secondary level. In fact, the transportation of our students is a major undertaking involving some

21,000 students transported a total of 49,500 kilometres daily.

In terms of enrolment, the board is one of the largest in Ontario, providing education for 25,000 elementary students and 15,000 secondary students, who represent approximately 85 per cent of the total elementary and secondary enrolment in the county. The board operates 15 secondary schools and 77 elementary schools, for which it employs a staff of approximately 3,200.

10:40 a.m.

Our secondary schools have long provided a broad range of programs with a tradition of excellent educational service to their communities, happily and successfully accommodating both Roman Catholic and non-Roman Catholic families. Until recently, the separate school board in Simcoe County operated two small secondary schools, one in Midland, the other in Barrie. This September, additional Roman Catholic secondary schools were opened in Orillia, Collingwood, Bradford and Tottenham.

Each of these schools is located in a community where there is adequate accommodation in the public secondary schools for all students, with the exception of Tottenham where there is no public secondary school. These new schools are quite small and we could easily conclude that, unless there is significant growth in the county, they will continue to be limited both in size and program.

The board has considerable experience operating small secondary schools. There is no doubt that in a small school an excellent program can be provided in a richly intimate environment, but there are obvious physical and economical constraints to offering broad programs of study, particularly in the areas of basic level instruction and technical and business education.

These traditional constraints are made more difficult by the increased demands placed on schools through the requirements of the Ontario Schools, Intermediate and Senior Divisions guidelines and Bill 82. There is considerable information available to the government on the difficulties associated with operating small secondary schools. We question most strongly the prudence of committing scarce provincial funds to a duplication of facilities, programs and services, when such expenditures will not demonstrably enhance the quality of education now available within the county and may jeopardize the viability of small schools operated by the public board.

We question whether there will be available, in secondary schools operated by our coterminous board, a full range of secondary school programs, or can we assume that they will be academic schools, leaving to the public school system the high-cost programs and hard-to-serve students? Our experience is that unless money is no object, these small schools will find it a challenge simply to meet the demands of academic programming within the limits of responsible funding.

Furthermore, if no incentive exists for a separate board to provide a full range of programs, it may be in the financial interest of separate school ratepayers to leave the provision of high-cost programs to the public board. We suggest, as have others, that Roman Catholic school boards, which share equally in the legislative grants, are obliged equally to ensure the availability of a broad range of secondary programs, if necessary by purchase agreements with public school boards.

It would be objectionable if our coterminous board, having been granted access to public funds for secondary purposes, should decide to restrict its programs almost exclusively to academic areas. If the legislation cannot include provisions that persuade Roman Catholic school boards to accept their program obligations, we strongly recommend that the basis for providing public funds be altered to reflect more clearly the operating costs of a board, which provides programs to meet the needs of all students.

Finally, in this section, we ask the committee to ensure that guidelines for the approval of separate school plans provide for the protection of small, public secondary schools in single school communities.

At this time, I would like Mr. Richard Boswell to continue.

Mr. Boswell: Thank you, and good morning. Since its inception, the board has been financially conservative, incurring annually one of the lowest per pupil costs in the province. We appreciate therefore the need to provide an economical service to our school communities and have diligently endeavoured to do so.

In recent years, we have been exhorted by the Ministry of Education to recognize the need for provincial restraint in educational finance, and we have seen in our own county a continuous transfer of costs for education to local municipalities, as measures of provincial restraint have been effected from year to year.

We are, therefore, at pains to reconcile the message of limited provincial resources with the

dramatic projections of additional costs that would be necessary to support two parallel secondary school systems. Since no new sources of provincial revenue have been identified in the planning, we wonder from where these additional funds will come.

We have heard, too, the promises of government that public boards will not be financially disadvantaged through the extension of full funding to Roman Catholic separate schools. We would like to think that this would be the case, that students in our elementary and secondary schools will not see their quality of education diminished through a loss of revenue or an increase in costs related to the establishment of Roman Catholic secondary schools.

Our past experience with provincial funding for education leads us to believe otherwise. Indeed, we are firmly convinced that there will be additional costs to this board and that this legislation will do financial disservice to the public school ratepayers and public school students in Simcoe county.

We realize that this committee does not yet have the benefit of the report of the commission studying educational finance. However, the current underfunding of education is a critical issue to school boards, and we hope the members of the committee will not underestimate the impact of further limitations on the ability of boards to provide high-quality education for students in their jurisdictions. We urge you to make the strongest possible recommendations to the government that financial protection be afforded to public school boards and to public school ratepayers in Ontario.

The government has indicated that both public and separate school boards will be able to provide appropriate programs and services to their resident pupils without increasing an additional local tax burden. Simcoe county is typical of boards in the province, in that our secondary expenditures exceed the provincial grant ceilings. We believe, therefore, that the automatic transfer of the assessment of secondary separate ratepayers to our coterminous board will mean an increase in taxes to our public school ratepayers, if our current level of services is to be maintained, because we will be required to fund our over-ceiling expenditures from a reduced assessment base.

Public school ratepayers must not be expected to subsidize in this manner the expansion of the separate school system. Can we assume that the government will undertake to revise the general legislative grants to guarantee that an additional

local tax burden will not be incurred by public boards?

The expansion of the separate school system will be accompanied by major demands for capital funding for land, facilities and equipment. We believe such additional expenditures in Simcoe county are totally unwarranted, since adequate space is available in existing schools. We recommend that restraint in this regard be practised and that the provision of provincial funds for capital projects fully take into account the existing and prior needs of public boards.

This board provides programs that are unlikely to be available in the separate secondary schools and we are prepared to enter into purchase agreements to make these programs accessible to separate school students. There are, however, differences in costs for the development and provision of various programs, most especially in technical and special education areas.

We believe the purchasing board ought to pay fees that reflect the actual program costs and recommend that the committee review carefully the regulations for calculations of tuition fees to ensure that public school ratepayers are not required to subsidize separate school operations.

In regard to the legislation dealing with the transfer of staff, we appreciate that efforts have been made in Bill 30 to lend protection to teachers in public systems who may face redundancy because of a transfer of students to separate schools. We support the position that separate boards must hire staff currently employed by public boards and agree that the final legislation must contain a protection procedure to preclude discriminatory hiring practices.

Simcoe county is an example of a situation where the transfer of students and of staff has gone quite smoothly. Ten teachers whom the separate board were required to hire from among our staff were found through a process of voluntary transfers and arrangements were all quite congenially effected.

Nevertheless, our coterminous board has made it clear that it prefers not to employ non-Roman Catholic personnel. Indeed, it was only at the insistence of the planning and implementation commission that the separate board finally generated a policy statement agreeing to the employment of non-Roman Catholic teachers. We understand the motivation for such preferences but human rights issues related to nondiscriminatory employment practices must have precedence over religion if the Roman Catholic community wishes to have the benefit of public funding for its schools.

10:50 a.m.

With regard to the staff transfer provisions set out in section 1361, we have two major concerns, both of which, we realize, have been addressed by a number of presenters.

First, Bill 30 may cause public boards to assume ongoing financial responsibility for staff who are affected by the transfer clauses. This would occur specifically in the requirement of public boards to retain, perhaps indefinitely, certain redundant staff and also in the responsibility of public boards to maintain portions of a former employee's accumulated sick leave credits.

In our view, the economics related to staff transfer lie clearly with the government and the receiving board, not with either the transferring employee or the public school board. Staff who transfer must take with them both salary and benefits, which must be protected through government guarantees until they are matched or exceeded by the receiving board.

Furthermore, the responsibility for retaining staff who do not match the qualifications of teachers required by the coterminous board must not be left with the public board. We find this notion of legislated overstaffing unacceptable and stress that the public school ratepayers must not be asked to contribute to this subsidization of Roman Catholic schools.

Second, we agree that a coterminous separate board must hire from the public board on the basis of the number of students who transfer and the public board staffing ratio. However, Bill 30 as it stands will make collective bargaining unnecessarily more difficult due both to difficulties related to identifying specific persons to be designated for transfer and to the inclusion of a provincial arbitration process.

As other presenters have suggested, the designation of positions rather than persons will ease these difficulties. A combination of voluntary transfers and identification of staff to transfer through redundancy procedures, negotiated between the public board and its employees, will generate the staff whom the coterminous separate board will be required to hire. In effect, the most junior teachers, who are redundant annually, will comprise the list of teachers transferring to the separate board.

I will turn this over to Mrs. MacKenzie.

Mrs. MacKenzie: To turn now to the planning and implementation commission, the provisions in legislation for the continuation of this commission are unacceptable. While our chief concerns are related to the overly broad

powers and authority vested in the commission, we want to note that the costs of another provincial bureaucracy and of the inevitable hearings are alone sufficient to question the prudence of retaining the commission as a mechanism in the management of educational enterprise in Ontario.

The political parties and the Minister of Education (Mr. Conway) have made explicit their support for extended funding. Such enthusiasm should include a willingness to deal politically with the various boards involved without the intervention of a politically appointed commission designed to further government initiatives while keeping government at arm's length from the effect of its own policy.

We can accept that administrative mechanisms ought to be available to the government to give effect to its policies, but we feel quite strongly that the authority delegated in the legislation to the planning and implementation commission is excessive and inappropriate. We strongly recommend, therefore, that the committee review the role of the commission with the assistance of those who are expert in the field of legislative theory and practice.

In conclusion, as we stated earlier in our presentation, we have chosen to limit our comments to a few issues. This ought not to be construed as tacit agreement with the provisions of the proposed legislation on which we have provided no comment. Neither does it represent a lack of concern for the implications of affording in a pluralistic society such special status as is being accorded the adherents to Roman Catholicism.

Indeed, we find it regrettable that significant financial and human resources are being committed to institutionalizing division within our province, within our communities and within our schools. This is especially so when challenges to develop tolerance, harmony and co-operation exist in such rich abundance.

The introduction of this legislation and the political processes used to foist it on an unreceptive populace have everywhere strained relationships, diminished or dissipated co-operation and heightened issues of religious differences that properly belong in the past. In the absence of judicial support for its legitimacy, we can only assume the proposed legislation to fully fund Roman Catholic secondary schools has precious little to do with education and a great deal to do with religion, politics and power, which is a sorry commentary on the exercise of governmental judgement in Ontario.

We are very proud of our school system. We are proud of the fine young people who attend our schools and we are proud of our excellent professional and support staff who are deeply committed to serving their schools. We hope you will appreciate that we do not want our school system to suffer damage for any reason. We trust that the profession of so many in government to want to act in the best interest of public education will indeed generate effects to that end.

We wish to thank the members of the committee for receiving our presentation. We appreciate the difficult task that has fallen to you and we wish you all well in your deliberations.

Mr. Chairman: I am glad you were able to participate, but I hope this is more than just a cathartic experience for each of us. What a summer this would have been if that were all we were involved in. Mr. Allen has some questions.

Mr. Allen: Let me remind the members of the committee that we heard from the Simcoe County Roman Catholic Separate School Board in late August and had some indication at that time of the nature of the issues in the county. While I personally appreciate the way you have worked together in the county, I would not want you to think that we understood from the commission that co-operation implied consent or agreement on your part with the arrangements struck. We are very aware of that point.

We also noted the rather small scale of the four high schools—three of them in particular, Holy Trinity, Jean Vanier and Patrick Fogarty—that were initiated this year. As you know, we have had a lot of representation in the hearings on the small school community in secondary delivery of education. We are very concerned about that question. We will be trying to address it in some significant way in the legislation.

You raised questions about your ongoing responsibility to cover the costs of the transition, anywhere from additional overhead costs on a per pupil basis, through to costs of carrying designated staff and so on. Let me ask you whether there has been an initial calculation by your board of your allotment of the more than \$6 million for those additional costs, the \$720 per student the ministry is prepared to extend this year with the general legislative grants. Does that adequately meet a significant proportion or all of those costs? What is your estimate of the value of that in terms of meeting your extra costs?

Mr. Boswell: We have not made that calculation. In fact, the transfer of 160 kids from our system is a rather small issue. Our secondary school enrolment did not decline this year as we

had anticipated. Our main concern about the funding is that the grant ceilings now are not adequate to meet the costs. We are concerned that the additional costs that will be incurred by the province will continue to limit our ability to offer programs, renovate our buildings and pay our staff.

Mr. Allen: We understand much more dramatically now than we did at the beginning of this committee's hearings the larger problem of funding education. While that is not something this committee can address directly, we are hoping—at least I am with a motion I placed before the committee—there will be some comment from this committee to the ministry on that and other relevant factors.

Mr. Bernier: As one who is new to the committee and who hails from northern Ontario, I would like some clarification. You make reference to small secondary schools. What size are the small secondary schools in Simcoe county? What are the numbers?

11 a.m.

Mr. Boswell: The small secondary schools to which we referred are smaller than 300, although there may be one or two approaching 300. The separate schools are optimistic that they will approach 500. However, in some cases they are smaller than 100.

Mr. Bernier: What is a viable secondary school, in your opinion?

Mr. Boswell: Any school can be viable, provided the board is willing to put the funds into the staff. In our experience, once we get below 900 children in a secondary school, it is very difficult to offer a broad range of programs. Below 500, you have virtually eliminated most of your technical and vocational programs, are limiting your business courses and finding it very difficult to meet the challenges of all the compulsory subjects at three different levels. With 300 children, you are offering a purely academic program at some considerable expense to the system.

Mr. Bernier: Out of 15 secondary schools, how many would be 300 or fewer?

Mr. Boswell: We operate one French-language school in Penetanguishene, Ecole Sécondaire LeCaron, which has about 160 children, and we have one small English-language school, which is under 300.

Mr. Allen: To complete the line of questioning about the issue of additional finances, we have been assured by the ministry on two separate occasions that a memo went out to the

boards respecting general educative grants in 1985, indicating, for example, that teachers not hired from the designated list by the separate board would have their salaries covered by the ministry. Did you receive a memo telling you that in so many words?

Mr. Boswell: I would have to check. My recollection does not include that. The concern is not so much that the funds would be there to cover redundant teachers who do not have an appointment. We just find the whole question of maintaining staff indefinitely an unusual one, and I believe it is a costly one for the province to assume. It needs to be looked at very carefully by the committee.

Mr. Allen: Do you have a formal protocol with the separate board regarding the transfer of staff and the provisions and protections that would attend that arrangement?

Mr. Boswell: It is not a formal protocol. We have an understanding, really a gentlemen's agreement, that where there are vacancies within the separate school board, they will be posted throughout our system. That has worked quite well. There were no difficulties with staff transfers.

Mr. Allen: I see. Do I understand both systems are still expanding systems overall at this time?

Mr. Boswell: No. We are stable on our secondary side. We have been stable for the last three years, but we did experience a decline in the years prior to that. Our elementary system continues to decline marginally each year.

Mr. Allen: I have one final question about the powers of the planning and implementation commission. Is your concern principally about the appeal procedures which make that body an appeal court for its own decisions, or is it about something more substantial with regard to the commission's powers per se?

Mr. Boswell: We have a general concern about the powers of the commission, and certainly the appeal process is one of them. I do not think we object to the use of the commission as an administrative arm of the ministry, but if it is to be a body trusted by school boards, to which both boards can turn for assistance and information, it is not helpful to have it both administering its own decisions and acting as its own judiciary.

Mr. Chairman: We have also had a suggestion—I think the first time it came up was in Ottawa—that there should be a yearly legislative review by a committee such as this of the commission's functions, in addition to strength-

ening the minister's role and responsibility, rather than the commission having as much power, as you have said. Would those two avenues be useful to you, that there would be a public review before the committee, plus putting more onus earlier on the minister for decision making?

Mrs. MacKenzie: I think we probably feel the onus should lie with the Minister of Education.

Mr. Chairman: The feeling was that, as with the Ombudsman, for instance, and other commissions which have a fair amount of power, it is important not just for the minister to have responsibility but for the Legislature to have some kind of an overview role, other than just the straight estimates debates that we have.

Mr. Boswell: That would lend considerable security to the boards.

Mr. Chairman: Thank you very much for your brief. It was very articulate and well put. We will be working hard on your suggestions and others.

CITIZENS FOR PUBLIC JUSTICE

Mr. Chairman: The next presentation is from the Citizens for Public Justice. This is exhibit 160A. Mr. Vandezande and Dr. Marshall.

I am sure, if you were both in the room, you heard me indicate at the beginning that I was being pretty strict with regard to time today. Therefore, you have the half hour for presentation plus questions. I am going to be holding members to that, so I thought, because yours is a fairly substantial brief, I would advise you of that in terms of any tactics you might want to use to speed up the process of presentation, so that we can get on to questions as well.

Mr. Jackson: Just read the even-numbered pages.

Mr. Chairman: A very practical suggestion. We will leave it up to the deputants to decide how they would like to operate.

Mr. Vandezande: Thank you, Mr. Chairman and members of the committee, for allowing us to appear before you. With me is Dr. Paul Marshall, who is a research associate with Citizens for Public Justice, as well as vice-president of the Institute for Christian Studies.

CPJ is a national public advocacy organization which promotes economic, educational, social and political policies and action programs from a Christian perspective. It does so via research projects, publication of Catalyst, research papers and public service bulletins, and also through educational programs. CPJ's eight-person staff is

accountable via an elected board of directors to CPJ's 2,000 supporters across Canada. We have offices in Toronto, Calgary and Edmonton. Recently, as you may have learned through the media, CPJ has assisted the Grassy Narrows Indian band in its negotiations regarding the settlement for the poisoning of the English-Wabigoon river system.

Since Dr. Marshall helped in the preparation of the first section of the brief, he will now resume.

Dr. Marshall: The first thing we would like to do is to express our basic support for the intent of Bill 30 and to affirm that we believe it is just and proper and in accordance with the spirit of the guarantees given in 1867. We would also hope that the Legislative Assembly might, in the future, also extend equitable treatment to Ontario's alternative and independent schools. This would, we believe, accord with the Canadian Charter of Rights and Freedoms, and especially section 15, recognizing everyone's right to equal protection and equal benefit of the law without discrimination based on religion.

We have certain problems with the implementation of Bill 30, which we will come to. Very briefly, we would like to outline some of our reasons for supporting Bill 30 because these are relevant to our reservations.

We believe in a pluralistic society, by which we mean a recognition that different people have different beliefs and wish to live in different ways. We also believe that governments should protect and facilitate people's rights to do so.

A true recognition of pluralism requires far more than just allowing people to think as they like, or even to do what they like in private. It requires allowing people to act on their beliefs and to do so in association with others. A society which is truly pluralistic must make provision for more than individual choices. The actions of groups and communities, such as the establishment of different school systems or the creation of different organizations for economic, environmental or cultural activities, should be allowed and protected.

We would also affirm the importance of a tolerant society. By tolerance, we mean putting up with something you do not like. If you agree with something, you do not tolerate it; you merely agree with it. If there is something you approve of, the question of toleration does not arise. It is when a question of something you would want to see disappear from the face of the earth comes up that toleration arises.

11:10 a.m.

For example, if we look at a particular religious body with which we disagree, the question of toleration is the degree to which we are willing to support it. So in looking at this question of funding separate schools, the question of how tolerant we are in Canadian society is the degree to which we will accept and support things with which we disagree quite strongly.

As an aside, I might mention one of the strangest things I have found in watching these hearings, when the Blue Jays are not on, is that often people who are opposing Bill 30—that is, opposing the extension of the rights of Catholics to develop educationally according to their beliefs—do so ostensibly in the name of toleration. I find that a strange contradiction.

With these views of both pluralism and toleration, we believe it is imperative for the government to protect the ability of different groups, and especially minorities, to live in conformity with their convictions. Such living allows differences in social, political and educational life.

Furthermore, because we believe in the rights of the family, we support Bill 30. We believe the law and public policy ought to promote and guard the human right to educational choice. As the United Nations' Universal Declaration of Human Rights says, "Parents have a prior right to choose the kind of education that shall be given to their child." We believe this makes it imperative upon our governments to allow that right to be given a real opportunity to flourish; that is, people should not be financially discriminated against if the education they choose is different from that of the majority.

For those following the paper, I am on page 6. As Citizens for Public Justice sees it, we cannot profess to encourage religious freedom and protect religious diversity if at the same time we discriminate financially against education communities which exercise their religious freedom.

Accordingly, we advocate a nondiscriminatory recognition and equitable funding of all schools which meet the criteria of quality and accountability, based on public justice for all people. Since the move towards full funding of separate schools is a step in this direction, we wholeheartedly support it.

I will now ask Mr. Vandezande to raise some of our problems with Bill 30.

Mr. Vandezande: To save time, I will not read the sections, assuming the members are familiar with them. The first one with which we have concerns is subsection 136l(21). It says

subsections 136l(1) to 136l(20) apply despite section 23 of the Human Rights Code.

Section 23 of the code specifically recognizes the right of a religious education institution that is primarily engaged in serving the interests of persons identified by a prohibited ground of discrimination, such as creed, to employ only, or give preference in employment to, personnel who meet the institution's or organization's principles and objectives, if the qualification is reasonable and bona fide because of the nature of the employment.

Then there is section 18 of the Human Rights Code, which basically protects certain rights and privileges that separate schools have enjoyed since Confederation.

In the light of those sections, it is our understanding the Legislature clearly intended to enable Ontario schools and teachers to engage in their particular responsibilities and duties so that they can do justice to the beliefs and values which distinguish the diverse school communities.

We understand sections 17, 18 and 23 of the code to protect the right of an educational institution to employ the teaching staff needed to implement its particular instructional program. This is not religious bigotry, but is essential for meeting a particular job criterion. The freedom to choose the personnel qualified to carry out a school's basic principles and objectives is essential to its *raison d'être*, especially when a school is explicitly religious.

CPJ supports the legitimate right and responsibility of all schools to play decisive roles in the determination of their education philosophy and pedagogy, the selection of their curriculum goals and resources, the employment of their principals and teachers and the establishment of their employment practices and working conditions. Their right and freedom to shape the content of their instructional programs and employ teachers of their choice should be recognized and protected in law. Their institutional integrity should be fully protected within the framework of just legislation that is equally applicable to all.

The Citizens for Public Justice has some concern that subsection 136l(21) may have the effect of weakening the very legal protection that the separate schools need to implement their particular Catholic educational philosophy and programs.

Our question to you is, will the legislative declaration that section 23 of the Human Rights Code will not be applicable or operative when Bill 30 becomes law prevent the separate school boards from employing only, or giving prefer-

ence in employment to, those public school teachers who share these boards' Catholic philosophy of education? Is this the intent of the government and of the committee?

We ask these questions in view of the stipulations contained in subsection 136(19). I want to read it because it is crucial to our argument. "The Roman Catholic school board shall not discriminate on the basis of creed with respect to employment against any person designated by the public board."

There also is subsection 20, which would prevent a Catholic board from using "creed" as a standard when considering the "employment to fill a position" of "any person designated by the public board" or when deciding such person's "advancement in employment while in a position." Is this the intent of the government? Does the committee share this intent?

What will happen when a designated teacher, who is available for transfer from a public school to a separate school, cannot in good conscience teach economics in harmony with the Canadian Conference of Catholic Bishops' Ethical Reflections on the Economic Crisis and ethics in harmony with the Catholic bishops' pro-life statement, *Therefore Choose Life*?

Will the separate school board have the legal right to refuse employment to such a teacher on the basis of the rights accorded to it by virtue of section 18 of the code or will Bill 30 prevent the board from doing so? Will such a teacher be subject to discipline and dismissal by a separate school principal or board or will such a teacher be free to teach contrary to the Roman Catholic creed as it applies to economics and ethics?

We ask these questions to concretize our recommendation that Bill 30 be amended so its intent is not in doubt, but crystal clear, as to what the teachers' and school board's respective rights and responsibilities are.

CPJ highlights this important human rights issue for two reasons. First, no section of the code should be declared inoperative without stating a compelling reason. No compelling reason has been advanced by the government to prove that the intent of Bill 30 necessitates declaring section 23 of the code inoperative.

Second, there appears to be no clarity as to what is meant by the word "creed." What does the government intend "creed" to mean? What does the committee understand "creed" to mean? If there is no clarity as to what kind of discrimination should be prohibited because of creed, now is the time to clear up the confusion

and reach agreement so there will be little or no chance for misunderstandings and lawsuits later.

In view of the wide variety of meanings that have been given to the word "creed" in dictionaries and the different interpretations that have been used by the Canadian courts and the Ontario Human Rights Commission, it is obvious that the word "creed" has the potential of causing more confusion and conflict than it cures. In appendix B, we list some definitions that have been used. They range from "a brief formal summary of Christian doctrine" to "a set of opinions or principles on any subject," and I presume that includes the Blue Jays.

CPJ believes that a school board should be free to employ teachers who agree with its stated educational philosophy, pedagogy and purpose, and who are willing and able to help implement the school's educational policy, program and curriculum. Such professional agreements with, and support of, a school's educational distinctiveness are essential to educational integrity. This reinforces a school's commitment to its students and their parents.

Accordingly, a school board should be free to interview an applicant regarding his or her educational beliefs and skills, and to test them in the light of the school's educational guidelines to determine whether the applicant actually has the necessary qualifications required for the position.

While such an interview must, of necessity, deal with the teacher's basic educational beliefs and professional competence, a school board must not discriminate against any person on the basis of denominational affiliation or the lack thereof, and a school board must not make its decision to employ, promote, demote or terminate a teacher on the basis of denominational affiliation or the lack thereof.

A person's educational philosophy and competence are basic qualifications essential to a school's *raison d'être*; a person's denominational affiliation or lack thereof is not.

11:20 a.m.

The employment of teachers should be decided on the basis of relevant and equitable educational standards such as a school's educational philosophy and guidelines that are, as section 23 of the code puts it, a reasonable and bona fide qualification because of the nature of the employment and not on the basis of denominational affiliation or the lack thereof.

Accordingly, either subsection 19 should be amended so that it more clearly spells out the specific kind of discrimination the government

seeks to prohibit or this section should be deleted. This could be done on the basis of a special undertaking by the separate school boards that they will extend fair treatment with respect to employment to all persons designated by the public boards in harmony with the spirit and letter of the code.

Obviously, for the sake of harmonious relations based on genuine power, the contents of such a special undertaking should be worked out in consultation with representatives of affected public school boards and teachers' federations.

However, if the legislation's goal is to prohibit discrimination with respect to employment on the basis of religion, as the Ontario Human Rights Commission and others interpret the word "creed" as used in the code, then the committee should ask itself whether such an interpretation is in accordance with the spirit and letter of section 18 of the code, which protects Catholic schools, and whether such a fundamental prohibition is not too sweeping to cover a limited situation.

Again, if it is the intent of the legislation to prohibit discrimination with respect to employment on the basis of denominational affiliation or the lack thereof, then subsection 19 should be amended accordingly, and we give you a suggested reading of that subsection. Then the intent is clear and the school boards and teachers know what their respective rights are.

One way of facilitating a clear understanding of the intent of Bill 30 is to define the meaning of the word "creed" by adding a paragraph to section 1 of the Education Act.

This is not in our brief, but at this point, I would like to express our concern with the proposed addition of section 59a, which is mentioned on page 2 of Bill 30. It states, "separate school board" means a board that operates a separate school for Roman Catholics." That would restrict the access of the school to Roman Catholics and in our view would be narrowing the public access of the separate schools to people who are committed to that faith. That would not be in keeping with the intent of Bill 30 or the Human Rights Code.

Finally, a few comments with regard to the current discrimination in the allocation of municipal taxes.

We are concerned that the Education Act violates the very freedom from discrimination because of creed which the code claims to protect. Section 119 of the Education Act stipulates that only a person who is a Roman Catholic and resident on a parcel of land that is

within the separate school zone may be a separate school supporter in that zone.

The question is, why does the legislation discriminate against non-Roman Catholic residents who may wish to support separate schools? Also, why may Roman Catholic residents choose whether they will support the separate or public education system with their taxes and why are people belonging to different denominations or none, prevented from making the same choice?

Why does the public school system enjoy the municipal tax benefits of everyone's choice and why does the separate school system have the municipal tax benefit of only the Roman Catholics' choice? Why do the independent schools get no municipal tax benefit whatever?

The Legislature should eliminate the obvious discrimination because of creed contained in this section and instead should introduce an appropriate section that permits all residents, regardless of creed, to indicate which education system they wish to support, be it public, separate or independent.

We hasten to add, however, that as a result of the government's respect for residents' rights to allocate their municipal education taxes to the school system of their choice, the public system should not begin to suffer from the lack of adequate funds in the same way the separate and to a greater degree the independent systems have suffered.

The government should see to it that all systems are adequately funded so that all systems can properly meet their educational responsibilities.

This is especially important if some schools in certain areas, because of lower municipal tax allocation, are in need of supplementary funding to do their task properly. Low-income areas should not be deprived of competent teaching staff and adequate educational resources. Particular care should be taken that the children of a low-income neighbourhood, regardless of their parents' creed or lack thereof, receive the same quality of education as the children of higher-income residents.

We hope that your committee's report and recommendations will support educational justice for all Ontario residents and their schools and that the government will safeguard the right to equal treatment of all faith and value communities active in education.

Mr. Chairman: Thank you for compressing your presentation so admirably and focusing as you have on creed, which is something we have talked around a lot in this committee, but about

which we have not had specific recommendations before. It has been very helpful.

Your suggestion that we might leave this outside the act and resolve it by agreement with the boards is something legislators would find fairly difficult, given that this is a very fundamental question. Your other suggestion of specific definition and making it more precise is one we probably will be trying to struggle with over the next little while as to how that would be done.

Mr. Allen: May I add to the chairman's compliments with respect to the focus of the brief and the detail in which you have gone into the issues that relate to discrimination in hiring, creed, and what have you, as factors in the issue we are trying to address. The very fact that you have asked the questions you have, has helped to focus our minds more precisely.

We have asked trustee representatives from some separate school jurisdictions across the country whether they have felt it is necessary to build in special protections one way or the other, given the standing court cases around these issues. They have almost unanimously said it is not necessary to have the equivalent of the Ontario Human Rights Code protection, because legal precedents are such that it is difficult to see that kind of right in hiring disappearing from the separate board. I guess our concern has tended to lie with the specific body of transferring teachers rather than the general question.

Is it your sense that designating positions rather than persons, allowing for voluntary transfer and possibly building in some form of right of conscientious objection on the part of a teacher who might otherwise be designated to transfer, but whose refusal to do so might lose him the protections of the designated list, would go far towards covering your concern about the rights of the teachers in question coming out of the public system? If not, what kind of protection do you think they need in moving into that alternative system?

Mr. Vandezande: With respect to your first comment, if the experience in other jurisdictions is as you say, then it would seem Bill 30 should not introduce a suspension of a section of the Human Rights Code and should leave it intact. Indeed, Bill 30 should affirm the Human Rights Code, and we should be willing to live with the decisions that have emerged under it and the Charter of Rights. Then you would not get into this tug of war that Bill 30 invites us to enter.

With respect to your second question, I would begin by saying that, given the unique situation

in which the teachers find themselves, they should be given full protection in law and in agreements worked out between the two boards, regarding seniority status, salaries and other benefits they were entitled to under collective agreements that protected their employment with the public board.

11:30 a.m.

With regard to the nature of a conscientious objection, I do not know exactly what you have in mind, but if it were one that went to the core of the curriculum which he or she would be expected to teach within the separate school board, then it would be up to that school board to decide whether the conscientious objection should be honoured.

Personally, as you know, I have always been in favour of protecting people's conscience, particularly when it comes to their religious beliefs. In this situation, one way of handling the problem, if it were acceptable to a separate school board, would be a mutually satisfactory arrangement on the basis of a sworn affidavit in which the teacher with the conscientious objection would state his or her reservations.

My concern would be that this should be done in mutual respect and that it should not be made an adversarial situation as is currently the case before the Ontario Labour Relations Board and other tribunals when people have to demonstrate that the conscientious objections relate to the issue at hand.

Mr. Allen: Our sense of when the application of the conscientious objection would take place was within the public board context rather than in the separate board context, inasmuch as the provisions of the act as they now read would be construed to say that the transferring teacher in a designated position could not refuse to move if his qualifications as registered with the ministry meant he could teach in the separate system in the positions advertised. He would therefore lose his right to protection if he refused to accept that position.

Mr. Vandezande: I would have some difficulty with that. A teacher should not be forced to move into the separate school system. We should respect the freedom of choice on the part of the teacher as much as we want to respect the freedom of the separate school board and the parents who want to send their children there. Some accommodation should be found for that teacher who feels religiously at odds with the Catholic education philosophy of the separate school. He should not lose his employment or seniority rights because of it.

Mr. Allen: Let us move to a related question of creed and definition of the religious or philosophical stance of a teacher vis-à-vis the separate system. We have certainly wrestled with that question, and we have tried to extend our thinking on that in terms of the lifestyle dimensions and the implications of lifestyle in creed.

The problem we keep running up against on the other side is that the moment you say, "No discrimination on the basis of lifestyle," everyone assumes that a teacher is a role model. There is obviously some limit, somewhere, by which you want to define the teacher as a role model for children as well as his professional competence. That phrase keeps jumping out at you in the whole educational world these days.

As someone who has had some contact with and involvement in another school system, do you have any reflections on ways of resolving that issue? If you say there should be blanket nondiscrimination on lifestyle questions, that is a problem. On the other hand, it seems to be necessary from other points of view. How do you resolve that?

Mr. Vandezande: I would want to make one comment. Perhaps Dr. Marshall would want to add something as well.

When it comes to interviewing applicants regarding an educational position within the school, the interview should restrict itself to the person's commitment to and ability to teach according to that school's educational guidelines. When the interview begins to deal with a range of issues that are beyond his or her professional obligation to that school, you could get the equivalent of an inquisition, and I would be opposed to that.

To concretize it, as we did when Bill 7, which is now the Human Rights Code, was before the Legislature, when the whole question of sexuality came up, it was and still is our contention that to the degree that a person's sexual orientation, be that heterosexual or homosexual, interferes with the actual learning process in the classroom, to that degree it becomes a matter of legitimate concern to the school principal, the board and the education committee in charge of that school. If it does not, then it seems to me that in law people ought to be protected.

What I am trying to get at is the criteria that are relevant and germane to the educational task for which the person is hired are legitimate criteria and are to be used in evaluating the person's ability to teach in accordance with the school's guidelines, but they are educational criteria. For

example, I do not think schools should ask whether a person belongs to a certain denomination; extracurricular questions like that are irrelevant in my view and should be irrelevant in law to the applicant's ability to teach according to the guidelines of the school in question.

Dr. Marshall: Basically, the line we are always trying to draw when a question of creed, religion or lifestyle comes up is that for a Catholic school, the question is, what is essential for a Catholic education?

On things that are essential to what goes on in the classroom—the education philosophy, the learning process—the school board must be able to choose people who fit in with its goals. In things that are not relevant to that, it must not.

When you say, "Should there be discrimination on the basis of creed?" we say, "Does creed include a Catholic educational philosophy?" If yes, then the school board should look at that. If it means something else, "Are you a Presbyterian?" we say, "No, you should not look at that."

With respect to lifestyle, we would again try to use the same dividing line. Does lifestyle involve what goes on in classroom and the way kids learn? If we say, "Yes," then a school board should look at that. If it does not, then we say, "No."

There again, in terms of conscientious objection, that is the sort of line we are trying to draw, rather than a creed or noncreed. How does the religion affect what goes on within the school itself?

Mr. Allen: Thank you. I think that is very helpful.

Mr. Chairman: Thank you both very much for coming before us. The very thought-provoking presentation that you made gives us a little positive reinforcement about how we might be able to deal with the vexed question of creed and discrimination.

Our final presenters for the morning are the Hamilton Catholic Secondary School Principals' Association. I have Ms. Scherloski and colleagues.

This is brief 708. Perhaps you would like to introduce your colleagues to us.

11:40 a.m.

HAMILTON CATHOLIC SECONDARY SCHOOL PRINCIPALS' ASSOCIATION

Miss Scherloski: I would like to introduce, not just the three of us here, but the rest of the group as well, all seven of us who have come here today.

Ray Griffiths is principal at Bishop Ryan High School, Larry Scholes at St. Jean de Brebeuf High School, Jack Curtis at St. Mary's High School, Marcel Castura at St. Thomas More High School, Peter Narduzzi at Cardinal Newman High School and John McPhee at Cathedral Boys' High School. I am Wilma Scherloski of Cathedral Girls' High School.

Mr. Chairman: I am glad to see you all have faith in your vice-principals.

Miss Scherloski: Yes. Since we just gave you the brief this morning, I will go through it and then we will answer questions for you.

The Hamilton-Wentworth Catholic Secondary School Principals' Association represents the principals and vice-principals of the seven Catholic high schools of the Hamilton-Wentworth region, with a combined enrolment of 6,800 students from grades 9 to 13 inclusive. The principals are employed by the Hamilton-Wentworth Roman Catholic Separate School Board and by the board of governors for the city of Hamilton, who together share the responsibility for providing a full range of Catholic secondary education in the area.

Catholic secondary education has been a part of the Hamilton education scene since 1912, with the founding of the first Catholic high school, which later evolved into Cathedral Boys' and Cathedral Girls' high schools, and has steadily grown with the subsequent additions of Bishop Ryan in 1958, St. Mary's in 1970, St. Thomas More in 1972, St. Jean de Brebeuf in 1974 and Cardinal Newman in 1975. Approximately 85 per cent of the students from the grade 8 classes of the separate schools enrol in one of the above schools.

The Hamilton Catholic Secondary School Principals' Association is pleased to present its submission on Bill 30 to the standing committee on social development of the Legislative Assembly, and it is our hope that the following observations will contribute in a significant way to your deliberations on this issue.

We state our general accord with the provisions contained in Bill 30, An Act to amend the Education Act, the purpose of which is to fund the last two or three years of Catholic secondary education. Having examined the provisions in Bill 30, we find that it looks after the interests of all groups, especially students, both public and separate.

Each of our schools has made an effort to provide a comprehensive program of academic, technical and commercial subjects. The seven schools were among the first in the province to

adopt a full semester system, some open-concept education and the credit system. At present, the staffs are developing programs to meet the demands set forth by the Ontario Schools, Intermediate and Senior Divisions guidelines. Students are now able to participate in co-operative education, linkage programs and computer education.

Since 1972, the Catholic high schools in Hamilton have offered technical programs on a very limited basis, and now all of our schools offer some type of technical program. However, we are limited by space and resources. For example, even though most of our schools offer drafting in the senior division, we do not have computerized drafting equipment or sophisticated electronic equipment. With the implementation of full funding, we trust resources will be made available to offer such programs to our students. This will be an excellent opportunity to introduce up-to-date equipment in such areas as elementary robotics and other fields of new technology.

At the same time, we are aware that schools in the public system will also have to update their programs, facilities and equipment. We also realize that this could place great financial demands on the government and that in areas where the student enrolment is small, such expensive programs might have to be shared by both systems. In larger centres, separate programs in both systems could possibly be justified.

The educational systems, both public and separate, will have to search for creative ways to expose students to new equipment. Business, industry and co-operative education provide excellent opportunities to allow students to experience the real world of work and at the same time have an opportunity for hands-on experience with high-tech equipment.

Advanced, general, basic and special education courses are available in each of our schools. We are able to educate all students regardless of ability by integrating them into the entire life of the school. This is one of our proudest achievements. Four schools, St. Jean de Brebeuf, St. Thomas More, Cathedral Girls' and Cathedral Boys', have physically and mentally handicapped students integrated with the regular student body.

Funding will allow an expansion of the existing programs and, we hope, some very necessary building changes which would make our schools more accessible for the physically handicapped. Ramps and an elevator in at least

one of our schools would be a tremendous asset to us.

All of our seven high schools are at full capacity, with six of the schools having classes taught in portables. Three of the high schools at this point are seriously overcrowded.

Although we are in agreement with and support the concept of student access as outlined in section 136o of Bill 30, the probability of this occurring in the immediate future would be very difficult to accommodate in our schools. When space becomes available and a student wishes to attend by choice, he or she would be expected to be involved in the entire life of the school.

Historically, the Catholic high schools have inculcated religious values into the total curriculum. The objectives of the Catholic high school, and the program offered, contain an abiding concern for the development of the spiritual as well as the academic, physical, social and civic formation of students.

The added dimension of the spiritual formation is what gives the Catholic high school its particular focus. The students, parents and staff are engaged as a community of faith in the pursuit of spiritual as well as secular objectives. The Minister of Education alluded to this in his statement on July 4 when he enunciated the fifth principle, that the distinct mission of the Roman Catholic separate school system be maintained.

We also state our agreement with subsection 136o(6) which allows an exemption from religious studies to a student who is not a Roman Catholic and who must enrol in a Catholic high school because of availability of a program or because of the Catholic school's easier accessibility.

We are also in agreement with Bill 30 on the issue of redundant staff due to full funding. We empathize with the possible dislocation of staff within some school boards. In our own particular situation in Hamilton, since our retention rate over the years has been very high, we do not anticipate a large shifting of students and, therefore, do not anticipate any significant number of staff becoming redundant. The clauses of Bill 30 relating to this issue appear to be just and fair.

We appreciate the concerns of teachers in the public schools. However, the number of students that have actually transferred do not warrant the concern. For a number of years our teachers have worked in uncertainty but have kept a positive attitude. Thus our system has grown. Through co-operation, as we have had in the past, we can work towards a solution that is beneficial to all

our students. They are our future and our concern is for them.

The recent order in council assigning financial support to grade 11 eased the anxieties of students, parents and staff that have resulted because of the debate on this issue. Our parents are from a wide spectrum of socioeconomic backgrounds with a large percentage relying on work available in the steel industry, construction and related jobs. Despite economic difficulties, they have sacrificed over the years so their sons and daughters could have the type of education they wanted for them. We hope the bill will receive speedy passage so the hopes and aspirations of the students and their parents will be fulfilled.

Mr. Chairman: I wonder if you could perhaps let the committee know what exactly the transfers have been this year. You have mentioned they are not that significant. We are almost at the end of the month. I suppose you have a fairly good idea of just how it has affected your numbers. With 85 per cent pickup already, I presume it is not going to be that significant. Do you have those figures for each of the schools at this point?

Miss Scherloski: In my own particular situation, the students who transferred into the school are fewer than those who transferred out. At my own school more students went to the public school than we received from there.

In Wentworth county, I do not think we have any responsibility with respect to staff at this point. I do not think we have lost anything to Wentworth county. They are still working that out at the Hamilton Board of Education, but I do not think there are any transfers at this point.

Mr. Narduzzi, can you help with that?

Mr. Narduzzi: I believe the number of transfers from both systems has been very small to date. We are still trying to see where the students have come from. We have had a small increase in numbers, but this could simply be some students from grade 8 coming into our schools. We are trying to determine the actual reasons for it. The numbers have been very small.

Mr. McPhee: To be specific, in my school two children have come to us at the senior level.

Mr. Chairman: The grade 11 level?

Mr. McPhee: Yes. Fourteen have moved out at the end of grade 10. We have had 12 more children transfer to the public system than have come into Cathedral Boys Separate School.

Mr. Chairman: How would that relate to last year? Presumably last year you had more children leaving than coming, as well, because there was no money.

Miss Scherloski: In my own situation the statistics are almost the same. I lost students last year between grade 10 and grade 11. We assumed it was because they had to pay the \$650 for tuition when they came into the school. This year I lost about the same number from grade 10 to grade 11, so it has nothing to do with the funding issue.

Mr. Jackson: That was the point I wanted to pursue with Miss Scherloski. What was your school again?

Miss Scherloski: Cathedral Girls Separate School.

Mr. Jackson: The shift had more to do with the traditional shift and not the specific phenomenon of Bill 30?

Miss Scherloski: That is right.

11:50 a.m.

Mr. Jackson: Also it is important for public note in the record that Hamilton did go through that unfortunate circumstance of the public school strike, which had the potential to have an impact in this area. It is generally agreed that impact has now been lessened by the settlement in Hamilton. There was the potential to limit the number of traditional transfers this year because of the strike.

Miss Scherloski: There could have been, yes, but that did not take place.

Mr. Davis: I am interested in your statement that last year there was a shift of students. It was your assumption that that was because of the fees they had to pay. This year you had a similar shift. Why?

Miss Scherloski: I am not certain. I think some just feel they would like to have a different education. In my particular situation, it is possible that after they have had two years in a girls' school they would like to go to a co-educational school. That is a possibility.

Mr. Davis: Are there no co-ed Catholic schools?

Miss Scherloski: The rest are. Mr. McPhee and myself are the only two to have an all-boys or all-girls school.

Mr. Davis: Do any of your schools have shop programs, vocational and technical programs?

Mr. McPhee: They all have them. They all have a limited shop program based on the existing facility.

Mr. Davis: Fine. Give me an idea of what a limited shop program is.

Mr. McPhee: When I was at St. Jean de Brebeuf Separate School we had a very small auto shop. We were limited to 12 children in that class as a safety factor. We had a very small woodworking shop and we tried to keep the enrolment under 16 for that area because of safety factors again. Does that answer the question?

That is characteristic of our system. Now that I am at Cathedral Boys' high school we have a very nice woodworking shop. It is on the second floor of an elementary school and we have to walk a block and a half to get there.

Mr. Davis: In your opinion these students are not making the move to the public educational system for vocational and technical programs. Do you track them down to find out what they are doing when they go over there?

Mr. McPhee: Again, in my experience at Brebeuf high school in the past, we had a number of children who would move over for such programs as electronics and architectural drafting. The reason often given by those children and their parents was that we simply did not have the facility within our school to satisfy their program needs.

Mr. Davis: Would you suggest that would be the same reason you lost students this year?

Mr. McPhee: Yes, I would think so. I cannot think of any other reason.

Mr. Davis: As you look down the road, would it be your intention to institute those kinds of programs within your school system?

Mr. McPhee: Yes. If the funding can be provided, we would hope to put in place the most comprehensive educational program possible. We have attempted to do so with the limited funds we have.

I can tell you of my experience working with almost 1100 children in a school that normally accommodates 650, with special education programs provided for multiply-handicapped children and 11 portables. The science labs were inadvertently placed on a little higher level than the rest of the building. As a consequence, it is very difficult to move those children in wheelchairs into those programs. We have worked against almost insurmountable odds to provide a maximum of opportunity within our means for children who fall under Bill 82. The efforts are almost heroic, especially when you have a sea of children coming down a very narrow hallway going from point A to point B.

In answer to your question then, yes, we would be able to expand those very good programs that are now in existence for the learning disabled. Without the funding, we will not. That is a serious problem facing us. We really need an elevator in the worst possible way at Brebeuf high school.

Mr. Chairman: Mr. Davis, can you hold this to one more point?

Mr. Davis: I was just going to say that it is your intention, when the funding is available in its fullest, to incorporate into your educational program an expansion of what people want to call hard shops, that is, auto mechanics, sheet metal, as well as move into more highly technical programs.

Mr. McPhee: Yes, without perhaps putting in shops that are archaic or out of date. The opportunity exists for us to do that, I think.

Mr. Allen: I want to welcome the principals of the Catholic high schools of Hamilton.

Mr. Chairman: Let's not be too parochial.

Mr. Allen: I certainly appreciate their brief. I think the committee will recognize that what it is hearing about in the Hamilton situation is perhaps the most mature separate delivery of secondary education that exists in Ontario, in percentages of take-up of your constituency of the Catholic population in Hamilton and region.

You did not give us the percentage of carry-through from grades 10 to 11. I wonder if you could also give us that.

When you have the 85 per cent continuation from the separate elementary into the grade 9 programs, do you have virtually 100 per cent from your grades 9 and 10 into grade 11? What is that percentage?

Mr. Narduzzi: In previous years, I think we were losing possibly two or three per cent of our population in grade 10. I think the figures this year show about the same number.

There has not been a significant change in figures. That is what is surprising. Probably that is true throughout the province.

Mr. Allen: I am not really asking about this year. I want the historic pattern in recent years. Is it 95 per cent, 98 per cent carry-through?

Mr. Narduzzi: From grade 10 to grade 11? I would say at least 95 per cent.

Mr. Allen: So it is that complete. Under those circumstances, it is easy to envisage in this situation, where there might be reverse flows happening for a number of reasons from time to

time, that that would not be unexpected even in a situation like this year.

Do you suspect, however, that part of the problem in the loss of students at that point does have to do with your unusually crowded conditions in most of the schools?

Clearly the secondary public schools in Hamilton have space everywhere, and you are very heavily crowded. Do you get that feedback at all?

Miss Scherloski: I would think that would be one of the possible reasons, especially, I think, at Peter's school, Cardinal Newman Comprehensive Separate School.

Mr. Narduzzi: It is possibly the programs. We talked about shops just briefly, and I recall when I was at St. Mary's Separate School, let us say in the automotive program, they simply had a dry shop, which means you could not bring in any cars to work on.

A student contemplating an automotive career, looking ahead, may spend two years at that school and then possibly look for another type of program, one which offers a little more in resources for his or her trade.

That was a problem there. A student in grade 10 might leave that situation, simply because of programs.

Mr. Allen: I can certainly see the argument that, where there are very large numbers of students in your secondary program in a centre like Hamilton, there is a different kind of case to be made for expanding facilities and programs in some of those areas.

Have you been undertaking a comprehensive review of the delivery, for example, of technical programs, the way in which the public board has in the last couple of years, trying to frame your own objectives in that area?

Mr. Narduzzi: Yes, various committees have been looking at technical programs, even prior to the funding issue coming up.

Obviously we are looking at the new technologies and, as we mention in our brief, we possibly even feel the public system will have to up-date their programs in that area.

We are also looking to industry to help us. Basically, we do not want to duplicate systems, but we are looking at different approaches and we are trying to be creative so if we do have an opportunity now to put in such programs, they will be related to industry and business.

That is the approach we are looking at. We have had a technical committee looking at that for two or three years.

12 noon

Mr. Allen: Have you had any joint discussions with the public board on this particular question? I think you will realize that the scouting that is going on, at the ministry and then at the board end, is looking at the whole delivery of technical education.

There is obviously a problem in every school acquiring all the expensive computer-aided design and computer-aided manufacturing equipment. At the same time there is a sense that students learn best in a hands-on situation on the traditional equipment. They get a feel for what they are seeing in the CAD/CAM operation, where they do not have quite the same immediate, physical relationship with the product.

A more traditional setting may be adequate, therefore, and side by side with co-operative arrangements with industry, which get around some of the costs, you can get into a complete co-op program for delivery. It would be useful in a Hamilton setting to do that on a comprehensive basis. I wonder if you have had any contact with their committee on this.

Miss Scherloski: The Hamilton industrial committee is working on something like that in co-operation with the three boards.

Mr. Allen: The triboard arrangement, yes.

Miss Scherloski: Yes, and somebody from industry. They have meetings fairly regularly on this issue.

Mr. Allen: How does that triboard structure work, in general, from your principal's point of view?

Mr. Narduzzi: That is an area to which we are not privy, but any communication between boards is very good for education, so it is nice to see that sort of thing happening. We hope it will continue, especially with the funding issue coming up now.

Mr. Allen: I am sure principals and local members will be involved in those meetings from now on. We have been interested in instituting that kind of arrangement. The fact that it exists in Hamilton is a good example.

Mr. Narduzzi: I could give you a solid example that is going to come up in November. The three boards are going to participate in professional development. That is really a first, so it is a very good sign.

Mr. G. I. Miller: Along the same line, Catholic education has been in place since 1912 and now Bill 30 is coming in. With declining enrolment and excess facilities, from a staff's

point of view, do you think sharing can work to utilize some of these facilities, particularly in the special education fields where there is a lot of expertise? Can they work together on a sharing basis?

Mr. McPhee: Yes, it is already in place.

Mr. G. I. Miller: It is working now? Could you explain it?

Mr. McPhee: Because of overcrowding, Brebeuf high school is sharing a building with the Vanier francophone school. The Brebeuf senior grades operate on the second floor and the Vanier children attend class on the first floor. They are sharing the cafeteria facilities, gymnasiums and auditoria. The process would appear to be a model, because there may be space in public high schools in the city of Hamilton.

Miss Scherloski: There is another example of sharing, not necessarily across the board but in the special education you mentioned. We have it in only four high schools at present so students who need very specific kinds of training are transported to one of the four that handle the trainable retarded program. Unless we need it, we are not going to develop these programs in every single school. We will send the children to another school.

Mr. G. I. Miller: It is interesting to the committee to know there is sharing going on in the province. It will alleviate a lot of divisiveness, in my opinion, if the public is aware of that and knows it is already taking place.

Mr. Bernier: You express some agreement with subsection 136o(6), which allows an exemption from religious studies to a student who is not a Roman Catholic but where a program is available in a Catholic school that is more easily accessible. Are you tying that exemption only to availability of program and access? Are you limiting it to those two items, or would you be prepared, if you had space available, to go beyond that?

Miss Scherloski: We have had non-Roman Catholic students in the school for years who, because it has been their choice to come to the school—their parents' choice and their choice—have taken part very willingly in the entire life of the school. We would expect that, no matter which high school we were in.

If a student wanted to come to a school, the principal would expect that student to take part in the entire life of the school. Our entire program, which involves religious instruction, is part of the life of our school.

Mr. Bernier: So you would prefer the exemption only for those two items.

Miss Scherloski: Yes. We do not expect the students to participate in the sacraments or other things that relate particularly to the Catholic religion, but we expect them to take part in the rest of the life of the school.

Mr. Bernier: How many non-Catholic teachers are on your staff at present?

Miss Scherloski: I am not certain of the number.

Mr. McPhee: In the two schools in the system in which I have worked, we had four initially. At the school I am now we have three.

Mr. Bernier: Out of how many?

Mr. McPhee: Out of a staff of 35. In the other school in which I worked, our music teacher was non-Catholic. She participated in preparing the liturgies of the school without feeling any compromise of her own faith. I cannot speak for the other schools, but I thought there were a significant number of people, of religions other than Catholic, who have, historically, worked within the Catholic secondary schools in Hamilton-Wentworth.

Mr. Chairman: As a follow-up to Mr. Bernier's question, are there any with responsibility? Are there, or have there been, any principals, vice-principals or heads of departments, if you have heads of departments, who have been non-Catholic?

Miss Scherloski: Yes, there have been heads of departments. In my own school, a non-Catholic was the head of the business department.

Mr. Narduzzi: Also consultants.

Miss Scherloski: Yes.

Mr. Narduzzi: We have a non-Catholic consultant in our school. There has been a precedent for that.

Mr. Chairman: But no principals or vice-principals?

Mr. Narduzzi: Not at this point.

Mr. Chairman: Do you see that as a problem? We have had that raised with us as a difficulty in some areas, that it would be a hard role for a non-Catholic to fulfil. We have been told it is not seen as a problem in other places. What are your reactions?

Mr. Narduzzi: Once again, you have to look at the numbers we have in the system. Right now, when you are looking at a very small number, the opportunity for one person to become a principal

is very small. With Bill 30 and the funding coming in, however, we are going to have more non-Catholics appear in our system and the chances will be greater. I do not see that as a major problem.

Mr. Allen: I have a question about access, which Mr. Bernier raised. It was on my mind. Mr. Riley, associate director at the completion office, when he was before us, noted that he did not see any problem with an arrangement whereby there would be, in the regulations or possibly in the act, a statement that students who come by choice to the Catholic system should expect to be involved in the full life of the school.

He felt, however, that if, for some reason of conscience, a particular student wished or needed to be exempted from a specifically Catholic dimension of the program, in the more tightly defined religious education classes where there is an ambience and ethos question, he could. He thought the completion office would feel happy about that kind of arrangement. Is that more or less the way you view this question?

Miss Scherloski: I think so. That would be a possibility, if there were special circumstances and they were discussed openly.

Mr. Allen: Also, there would be an open process, where that could happen without embarrassment or difficulty.

Miss Scherloski: Yes, and as long as it does not affect the whole atmosphere of the school. I still think you have to take that into consideration. Each school has its own atmosphere; you would have to be certain that was not affected by exemptions.

Mr. Allen: It should not provide a problem for the student either.

Miss Scherloski: That is right.

Mr. Chairman: I thank the three of you, and your colleagues, very much for coming before us today and leaving the schools in the hands of your vice-principals. I hope both the schools and your vice-principals are still there when you get back.

I also thank you for raising a factor I think we have underplayed as a committee. I would have thought the co-ed factor, with respect to moving between schools—given where I was in that age group and given my proclivities at that time—would have been much higher than what you have already expressed. But you do not want to talk about this question.

Mr. Jackson: Anyone who is familiar with Hamilton, and knows the physical layout of Cathedral Girls and Bishop Ryan, knows there is

a third social setting which is right across the street at the Loblaws parking lot.

Miss Scherloski: It still exists.

Mr. Jackson: In my view, they are co-ed institutions separated by Main Street.

Mr. Chairman: That explains the lack of flow. Thank you very much for coming.

Miss Scherloski: Thank you very much.

The committee recessed at 12:10 p.m.

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No. S-51

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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, September 25, 1985
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, September 25, 1985

The committee resumed at 2:05 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: The committee is reconvening this afternoon to hear our next deputation. Before we begin, Mr. Jackson wanted to make a remark or two.

Mr. Jackson: Mr. Chairman, I am very saddened to report to this committee of the Legislature a matter which affects education in Ontario. I know I speak for all of us who share the great loss at the news this morning of the passing of Jim Singleton. Mr. Singleton was a pre-eminent educator in this province. He first joined the Halton Board of Education in 1959. In those days it was called the Burlington board. In 1969 he was a key instrument in helping to reorganize the large administrative units in Ontario from the 2,000 boards down to the 180 boards as we know them today.

He retired in 1975 and continued to give of himself as a leader in mediation and arbitration, and promoting leadership in all aspects of education in this province. He was a past president of the Ontario Secondary School Teachers' Federation and a director of one of the finest boards in this province.

A tank commander in the Second World War, he brought incredible discipline and compassion to Ontario education immediately following the war at a time when we needed it the most. I believe Ontario has lost one of its most selfless and devoted educators. I wanted this committee to be aware of his unfortunate passing.

Mr. Chairman: Thank you, Mr. Jackson, for making us aware of the situation. All members join with you in your regret. If you are talking to the family, please pass on our concern.

Our first deputation this afternoon is the Ontario Association of School Business Officials, OASBO. Would you like to come forward? I have more bodies than I have names, so I will not try to introduce everybody. This is item 219A.

Our methodology is to start off by you introducing yourselves and then taking us through your brief any way you would like. We will then open it up to questions.

ONTARIO ASSOCIATION OF SCHOOL BUSINESS OFFICIALS

Mr. Becker: Mr. Chairman, my name is Dirk Becker. I am president of the Ontario Association of School Business Officials. Before I formally introduce the other members of this delegation, may I extend on behalf of the association our appreciation to you and members of the committee for receiving this presentation at this very late date. We know you had a number of presentations to listen to and we appreciate this opportunity.

I would like to introduce Simon Vreman, the president elect of OASBO; executive officer John Boich; and Roger Desjardins, the past president of the association.

The Ontario Association of School Business Officials is an association that has served the educational community for approximately 44 years in Ontario. Its specialty is school board business management. It represents all levels of individuals who are in the nonteaching areas. It prides itself on the excellence that it produces and the membership it represents. In the light of this particular challenge and this principle, we are here before you today to present our brief.

The brief has been developed by an ad hoc committee, an educational policy committee headed by Simon Vreman, who is the superintendent of business for Essex County Board of Education. I would like to turn this over to him at this time to take you through the brief in some detail.

Mr. Vreman: Mr. Chairman and members of the committee, we thought that since we submitted the brief so late it may be useful to read it for the record. It is very short. If you have questions afterwards, we will be glad to try to answer them. I am sure the other gentlemen at the table will help field the questions.

2:10 p.m.

The Ontario Association of School Business Officials, as Dirk mentioned, is an autonomous, nonprofit, educational organization dedicated to

improving the quality of school business management and the status, competency, leadership qualities and ethical standards of school business officials at all levels. It represents middle management as well senior management.

To this end, the association is vitally interested in the implementation of Bill 30, extending funding to separate school boards. Composed of business officials employed by both the public and the separate school systems, the association must protect the delivery of quality support services to ensure an environment conducive to the education of Ontario students. That has always been our main focus and concern.

We feel the bill's mandate to "permit the separate school board to provide secondary school education" and to "promote the best interests of public education in Ontario" can be carried out only in a milieu based upon sharing and co-operation. It is within this context that our association presents its comments regarding certain sections of Bill 30.

We are addressing only about six different concerns, because we recognize you have already listened to many representations that have taken you through the bill in a step-by-step fashion. Since we represent a broad spectrum of business officials on both sides of the issue, we do not debate the merit of the policy proposal *per se*; instead, our aim is to sensitize the committee to certain concerns shared by all our members.

We feel a judicious balance must be struck in extending the separate school system if the viability of both systems is to be preserved. This balance becomes especially precarious in the approximately 180 Ontario communities where there is only one secondary school facility. Careful thought and study are necessary to determine what constitutes a viable secondary school operation.

In our view, at least two factors need to be considered: the recent increase from 27 to 30 credits required to obtain a secondary school graduation diploma and mandatory programs for exceptional students. The impact of changes in secondary school organization has been profound, affecting technical education and, to some extent, the areas of creative and fine arts as described in the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines. If young people are to have a balanced and affordable curriculum, there must be a minimum number of credit options available.

The association has heard many concerns expressed about the problem, but few solutions to it. As business people we need to be assured of

the viability of the academic programs and in this we feel we reflect the concerns of the general public.

Hence, the association's recommendation is that Bill 30 define what constitutes a viable secondary school program and the procedure that must be adhered to in order that the best interests of public education be preserved.

The association recognizes that in section 136d, the purpose of the Ministry of Education must be to make recommendations that are fair to all school boards. The cost of providing instruction to students in either system, however, can vary greatly depending upon the courses involved.

Several studies have been aimed at seeking alternative funding models. We believe the most recent efforts at the ministry level were co-ordinated by the Advisory Committee on Financing Elementary and Secondary Education, and it did not produce an alternative funding model. Instead, it suggested a change in the mix of provincial grants and local taxes as well as a review of per pupil expenditure ceilings, since most school boards, especially in the secondary panel, exceed the ministry ceilings, a condition of which you are no doubt well aware.

While the method of per pupil approvals seems appropriate, the association would suggest that a distinction be made on the basis of the program in which students are enrolled, a program-based funding model. For example, differential ceilings could be developed for each of the following program categories, and they are only examples: academic-general at both the elementary and secondary levels, business and commercial, technology, vocational-modified, French-language and special education, again at both the elementary and secondary levels. An outline of the criteria for a possible grant model is reproduced on the next page.

This was taken from a brief we submitted earlier to the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education, under the chairmanship of Mr. Macdonald. We felt the main variables in any funding model have to be, first, the program you are trying to fund and, second, the total available resources in a very global context. We felt the program should be differentiated, rather than having an elementary amount per pupil and a secondary amount. We feel it should be enlarged to give due weight to the type of program.

In terms of resources, there is really no change in the sources that we identify. Of the local resources and the other block provincial resources,

at the local level at least, a variation should be measured not only in terms of the equalized assessment we are using now, but weight should also be given to the household income. As you have probably realized, the statistics are available in the annual publication of the Ministry of Housing and Municipal Affairs.

We feel that the ability to pay is reflected in both of these variables, rather than just the one. The local tax could still be based on the assessment equalization factors that the Ministry of Revenue publishes each year, as is done now, and the household income statistics could be based on the federal statistics. We realize they are usually a bit late, but even a lag of one or two years would probably not materially affect the outcome.

As far as provincial resources are concerned, we have only listed consolidated revenue funds. This is really a reaction to some of the debate that was going on in the education community, that other sources of revenue were readily available to fund education. One example that comes to mind is the Ontario Lottery Corp., but as someone pointed out, the total profit of the Ontario Lottery Corp. represented something like 2.5 or three per cent of education spending, clearly not a dependable source of income.

We feel, too, that the grant formula itself, apart from the program differentiation, probably should retain some of the good features of the current grant plan, such as the average daily enrolment, and we will get to that shortly; a recognized ordinary expenditure rate, and the recognized extraordinary expenditure rate.

We feel there are good reasons for having differential rates of grant support. However, in total, we feel we should support positions expressed by many groups.

We should return to a 60-40 funding split, where approximately 60 per cent of approved expenditures comes from provincial sources and the balance is raised locally. As you can see, the model itself suggested it would be adjusted for variations and equalized assessment in population.

Those are features of the current grant plan now. One that is now coming to the fore, negative grants, is a feature of the current grant plan. We feel that should be eliminated. If any jurisdiction pays 100 per cent of the cost of education, that should be sufficient. They should not be asked to contribute to educational costs elsewhere in the province.

The association would also suggest that a general legislative grant plan, based upon such a

general funding model, should incorporate features which encourage and reward efficiency. While we realize it is easier said than done, OASBO is specifically thinking of transportation grants and they are the subject of some study.

We are making a general statement as business people. We feel that should be a feature of any grant plan. It should not be open to abuse. It should reward and encourage efficiency.

Similarly, OASBO supports a change in the application of the small schools component of the grant rating factor to encourage consolidation of facilities, thereby resulting in long-term economies. You may be aware of one specific brief that was submitted where the current grant rating factor militated against a combination of a number of small schools in the Victoria county area.

The recommendation of our association is that the payment of fees between school boards, in respect of transfer of students for instruction, provide no unintended subsidization of either system. The rationale there is that the current formula for the calculation of tuition fees does not cover the total cost of education. It really flows from the ceilings per pupil. As we mentioned, the secondary school ceiling, especially, is exceeded by practically all the school boards in Ontario. Calculating fees would not cover the total cost and we hope that Bill 30 will address that concern.

2:20 p.m.

Section 136h, entitling a Roman Catholic school board to share in the legislative grants as provided in section 136e, is a concern for the association for three reasons: governance, funding, and transfer of facilities and staff.

In governance, we are thinking specifically of French-language governance. In the absence of Bill 28, some effort must be made to redress the sharing, payment, apportionment and distribution of legislative grants to Roman Catholic school boards which will be introducing secondary school education to French-language students.

To date, it has been necessary to subsidize students enrolled in French-language programs to accommodate their preference. It would be financially detrimental to the separate system to support a French-language program under the conditions outlined in the proposed legislation. Our recommendation is that the funding of these programs and the possible transfer of facilities, including its impact on staffing, be addressed.

On funding, the transition of costs relating to ceilings, assessments, grants, taxation and the

establishment of the mill rate for school boards over ceiling, must be addressed if two viable systems are to be maintained. The adoption of the 60-40 split in principle would probably address that kind of concern. It would be simplistic to accept that the increased costs incurred by the separate system could be offset by a reduction of expenses in the public system. The association is in need of assurance that the transition of costs will be fair and equitable to both systems. Our membership from both systems would indicate that kind of position.

The payment and application of public and separate school rates, as outlined in section 136j, stands to have a significant effect on the public ratepayers' perception of the separate school system if it is perceived that public ratepayers are assuming the additional costs for extending the separate system. Since education is a provincial responsibility that benefits everyone, a larger portion of funding should come from the provincial Treasury. Furthermore, we feel a larger base of support through the broadest tax base is a less regressive form of taxation than local taxes levied on property without reference to the level of service received in return.

The association would recommend a return to the former 60-40 per cent formula with a concurrent adjustment in the formula used to determine the approval levels, with a review of the adequacy of the grant ceilings. This especially refers to the secondary panel.

Also, the concept of an approved maximum amount per pupil merits consideration since a major cost item such as teachers' compensation can be directly related to enrolment by means of the pupil-teacher ratio, a feature of most collective agreements between school boards and teacher federation affiliates. Since staffing in most agreements is based on September 30 enrolments, it would be necessary to continue to give appropriate weighting to this if the average daily enrolment continues to be a factor in the new grant plan. We realize the Macdonald commission will be reporting on this by the end of next month and this same concern has been expressed by OASBO in its brief to that commission.

The transfer of facilities and staff, section 136x, and section 136w regarding the transfer of facilities, is an area the association would request be studied in greater detail. A definition of transfer would be useful in determining regulations relating to changes of ownership and compensation for property. Only by defining what constitutes a transfer, and under what

conditions one may occur, can misunderstandings over fair and equitable settlements be avoided. The transfer of property closely relates to the scope of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario.

Our recommendation is that regulations, as opposed to guidelines, be the vehicle used by this body to implement its conclusions.

Section 136l, dealing with job security, poses major concerns for the association since its members are nonteaching staff. William T. Newnham, chairman of the planning and implementation commission, has stated: "The number of positions, both teaching and nonteaching staff, which are lost as a result of the shift of enrolment from public secondary schools will be the responsibility of the separate school board. It is expected that all displaced teachers, Roman Catholic or non-Roman Catholic, when engaged by a separate school board will adhere to the requirements outlined in section 235, on duties of teachers, of the Education Act and that no additional requirements will be imposed." We have emphasized the latter part of the quotation. "The spirit of these requirements also applies to nonteaching staff."

It is the position of the association that Mr. Newman's remarks and Bill 30 do not sufficiently protect support staff in school boards. Although Bill 30 specifically outlines procedures regarding job security and benefits for teachers and support staff, there are no specific criteria outlining the procedures for designating support staff in the planning and implementation commission's personnel policy. Consequently, under regulation 276(6), even supervisory officers could be declared redundant as school boards reorganize to accommodate the extension of funding.

Furthermore, subsection 136l(10) of Bill 30 is unclear as to the guaranteed annual rate of salary to which a designated person is entitled after the first year of employment in the Roman Catholic school board. It also does not provide consideration for part-time personnel under subsection 136l(16).

The association strongly recommends that a regulation be issued to provide nonteaching staff with similar procedures pertaining to designated lists accorded teachers and suggests that all nonteaching groups be consulted in the establishment of such provisions.

The association's comments are based upon the premise that the delivery of education is a

partnership between teaching and nonteaching staff. In this partnership, the wellbeing of both partners must be recognized and protected if the best interests of public education are to be served. That concludes the presentation. We are open to questions at this time.

Mr. Chairman: Mr. Jackson, is this touching areas that are close to your heart, generally speaking?

Mr. Jackson: It is talking about money.

Mr. Chairman: You always perk up when it is about money.

Mr. Jackson: If you would like me to lead off, I would be delighted to.

On the viability question which you suggest be studied further, could you give us an idea of a mechanism for studying that, given that we have a short space of time in which to do a good job of tackling that question? Or can you give us some of your impressions of what constitutes a viable school?

Mr. Vreman: We have actually heard the magic number suggested by directors, headmasters and so on is about 1,100 to 1,200 students. On the other hand, we have also heard of a secondary school somewhere in the north that is operating a viable program with 134 students enrolled. We do not feel school business officials can define what is a viable program. We only suggest there may be a problem because of the discrepancies in perception.

We have a well-qualified official here in the person of John Boich, our executive officer. Maybe he has some further comments on the academic viability of a secondary school.

Mr. Boich: There is one very important underlying criterion the committee must never forget. For the past quarter of a century in this province, we have been making the statement that every boy and girl will have access to a fully comprehensive secondary school education. In the past five to 10 years we have had an erosion of that because of enrolment.

Whatever number comes out of your heads, remember that every single boy and girl has a right to a fully comprehensive secondary school education, even if they are in Hornpayne. That means using distance education. That means money to go and live in other communities, which we are doing right now. If you lose sight of that, our credibility as people interested in education on behalf of the parents gets eroded.

I will not carry on this theme, but a small problem for viability is that if you put three secondary schools in one building, you get little

problems such as, who cleans the snow? Which principal is responsible? Once you start getting into those administrative headaches, you have problems.

The onus is on the local people to determine that every boy and girl gets a secondary school education in a fully comprehensive high school; that ought to be mandatory, however they work it out. But I do not know the numbers game. I could run a school for one person—Aristotle and Plato. We would talk to each other, and that would be an education. I am not sure whether it would be a good education.

Mr. Chairman: Would the principal clear the snow as well?

Mr. Jackson: I thought it would be the students.

Mr. Chairman: That is the first I had heard of that.

2:30 p.m.

Mr. Jackson: It is unfortunate that the first deputant this morning, the Ontario Chamber of Commerce, and your group were not closer together so you might both have benefited from the comments made by each of your groups.

There is perhaps an unfair perception in Ontario today that there is still a lot of fat left in our school systems. I wonder if you might help by way of explaining some of the things that have been occurring administratively in school boards across this province over the past six years under funding restraints that have brought school boards to a point where they can pretty safely articulate a position that there is very little room left for down-sizing.

I would like you to go through that brief exercise to discuss the areas of co-operation that become available to us in the context of the new administrative environment.

Mr. Vreman: Mr. Becker is a financial expert. I have a financial background myself; as superintendent of business, I oversee all the support functions in the Essex County Board of Education. But our president, Dirk Becker, is a financial specialist; he might wish to comment on that.

Mr. Becker: It is a tall order to express the experience of perhaps the past six years. However, as we all know, declining enrolment is one major factor that has hit a lot of these school boards in Ontario; they have had to deal with this.

There is also the introduction of a variety of additional services that have to be looked after at the local level; I am talking about Bill 82, special education. In connection with that, you are

looking at the transportation area, which is vitally affected by this bill. You are also looking at a host of new plans and programs that have been introduced, all of which have spinoff financial considerations that must be considered.

Most of those burdens, and I think Mr. Vreman referred to this in his 60:40 formula that is desired now, seem to have been placed at the local level. Thus, many groups have come forth from the local constituencies and perhaps displayed their displeasure with the amount of money they are putting out for the services we are about to provide for them.

Administration in the past six years has been extremely put to the task of trying to maintain excellence in the system while at the same time coming up with a cost-efficient method of operation. Most boards, and I can surely speak for them, can assure you there is no fat; there is nothing left that one can get excited about. We are using our facilities in all areas to maximum capacity.

What we are looking at is that with the amount of money we are extracting at the local level, a lot of boards need assistance. Whether that assistance is in additional classrooms being provided—that is, physical facilities—or in terms of transportation, those areas have been heavily affected by program changes such as special education and, in particular, transportation.

It is hard to be specific in this case, but it is our feeling in the association, from talking to the members of the finance committee in particular, that every effort is being made at present to operate within the funds made available to us. That is becoming an increasingly difficult challenge.

Mr. Jackson: You have described an area where there is pressure from the provincial government with respect to the application of general legislative grants. This committee has heard from many coterminous boards in jurisdictions across Ontario where there is already sharing in purchasing, sharing in personnel to a limited extent and sharing in the transportation area. That already is occurring.

Given that situation, in what other areas would you suggest, as you say in your brief, that there would be opportunity, using the grant formulas as an incentive? I happen to be one who has watched the government control how we downsize our systems by the application of the grants. What other areas are there, and how would you suggest that there would be an application that would be agreeable to all parties?

Mr. Becker: At this point, I will ask John Boich to add further comment.

Mr. Boich: I would like to refer directly to Bill 30. You cannot legislate sharing and co-operation; members of this committee know it and have said it for a long time. Therefore, you will have to have the local coterminous jurisdictions do it. I hate to say this, but you are going to have to have some legislation and some incentives to do that.

The school management committee concept was in one of the former minister's nine presentations; I do not know whether that is useful. But I know incentive grants have been useful over the years when we wanted to get something done. As legislators, you are smart enough to know when to put it on and when to take it off. You should make it possible for that to happen.

I urge you strongly not to be silent on the sharing and co-operation. Use people in the legislation department and in the ministry to find ways and means, through consultation with the partners, of what would be reasonable to put in the legislation.

It is not going to happen in an idealistic way. That does not mean they do not talk to each other; they just do not have a history of sharing and co-operation. These have been episodic rather than planned. Sure, there is going to be one board saying, "My God, we have got a planned committee." But I happen to know that across this province it occurs on a kind of episodic, need basis rather than as an overall plan.

You are going to have to have economies of scale in sharing and co-operation. The public will not stand for ever-increasing costs.

Mr. Chairman: One last point and then we will move on.

Mr. Jackson: That has a lot to do with the process, and I think we understand that. I am looking for a specific. The bottom line with the bill is that we are taking two systems that are in some ways unequal and moving them towards a position of equality with respect to program delivery.

The shops and the vocational training are not going on in the separate system at the same level as in the public secondary system. Are you suggesting that is an area where vocational training and the delivery of the rather expensive vocational programs could be done with incentive grants?

I understand the process, and I can support it, but I want to get on record an area where we as

legislators can look towards targeting that co-operation.

Mr. Vreman: Our problem is, where we have membership from both sides of the issue, sometimes we come back to what public boards might support. Using my own background as an example, we are strongly in favour of having the administrative control in one board, either an umbrella board or a regional board, with divisions for public, separate and French schools; three sections, in other words.

We know that is an anathema to the Catholic community. Our members from the Catholic community would oppose that because the purpose of the funding extension is essentially to preserve the Catholic system and the catholicity of that system. For administrative purposes, we do not see any problem in sharing computer service facilities, for example, a transportation system, purchasing and so on.

In our own jurisdiction in Essex, that is already happening to quite an extended degree. We share about 40 per cent of the buses. We have more than 200 school buses on the road, and 93 of those are shared by the two systems. Computer services are also provided by our board on a fee basis. For example, the media service, as we call the audio-visual services support to the schools, is another facility that serves both systems.

2:40 p.m.

Maybe in a negative way you can prevent the duplication of facilities simply by not extending grants for duplicating something like that. In the technical area too, I cannot see how you could afford to have two systems, two schools with different shops for example, one for Catholic students and another for non-Catholic students. That is just too expensive, and we know from experience that there has not been sufficient funds even to replace and update the current equipment of one system.

Mr. Jackson: I agree.

Mr. G. I. Miller: Along the same lines, with the declining enrolment and the shifting of some students to the other system, can you see any savings in that move from one system to the other?

Mr. Vreman: Savings that could be effected, you mean?

Mr. G. I. Miller: Tax savings or cost savings. When we look at the agriculture business, if the price of corn or beef go down, the producers still have to pay taxes; so they have to adjust.

If there is going to be less demand on the services, should there not be a saving in cost?

Mr. Vreman: Maybe this is a good point at which to introduce the appendices.

The share of education cost in total has already shifted from the government. The government has devoted more and more of its resources to health and social services, for example, as one would expect, because the population at large is ageing and the older people require more social and health services while the population in the schools has been declining; so less and less funds are being made available to education.

When you fund two parallel public systems, I do not see any savings in global terms; on the contrary, it will cost more, that is for sure. The question is, how much more? Initially, the estimate has been given as \$40 million in the first year. You know, as I do, that is just not the case; it will cost substantially more and more again in the second and third years, once it is fully implemented. You cannot expect to save by having two systems.

Our point has been that we should encourage efficiency, by all means; but we should also shift the burden back to where it belongs. If services are mandated by the provincial government, we feel that level is where the majority of the funding should come from.

If you look at one of these appendix tables—we have included those in the brief to the financing commission—you will find, for example, that 26.4 per cent of total education funding in Ontario comes out of the local ratepayers' pockets, compared with a national average of 17 per cent. To us the implication is clear: Ontario depends too much on the local mill rate to raise educational costs.

The support papers of the Ontario provincial budget indicate that as well. The next page indicates the major spending areas of the provincial budget. Colleges and Universities and Education spending is lumped into one here, but it shows that it has declined from 22.2 per cent in 1980-81 to 19.9 per cent in 1984-85. It is attracting a declining share of the budget pie.

Again using some of the other statistics provided by the Ministry of Education, the third page shows that the provincial share of education costs in Ontario continues to decrease. That is what is causing part of the problems and the pressures at the local level to economize and so on. You will note too that many of the boards have depleted reserves, for working funds and capital reserves they have had in the past, to minimize increases in the mill rate.

You will see that in 1975, for example, 61.3 per cent of the approved expenditures came from

the provincial Treasury. Now it is down to 48.8 per cent in 1983, and it has declined even further in 1984 and 1985. We are saying it should go back to the 60:40 level, however that is done.

The last table, although it refers only to the Ministry of Education's budget—excluding Colleges and Universities, in other words—indicates that in 1977-78, 18.1 per cent of the total education expenditures in the elementary and secondary levels came from the provincial Treasury; now it is down to 13.9 per cent.

Again, we feel the source of funding is a problem all across Ontario. The absolute dollars will not decline; they do not decline very quickly with the numbers. As a simple example, if a school bus carries 50 students from home to school, and declines by two students, we have 48 children on the bus. However, the cost is identical, unless the two that were eliminated were at the very end of the run and this shortens the run. It is the same in the classroom. The teaching cost, heating bill and light bill, are exactly the same when they have 32 in a classroom as when they have 28. We cannot eliminate those expenses.

In global terms, the philosophy is fine, and the rhetoric is fine. However, in actual practice, things do not happen that way. Education, in numbers, has declined. You cannot expect a concomitant decrease in the number of dollars that are being spent. I think that is wishful thinking.

Mr. Chairman: Thank you, Mr. Vreman. Mr. Miller, I am running 15 minutes behind time. I am going to say you will not get on, though I had you on the list. You will have to ask your questions elsewhere.

Thank you very much for taking the time to come before us today.

Mr. Becker: Mr. Chairman, just a closing remark, to express thanks to you and your committee for giving us an opportunity to speak. We would offer further assistance, if we can be of any, in the future. I understand you assigned homework to various groups which came before you in the past. We are quite prepared to work out some more figures, as long as we can work out of the office and sit in other places.

Mr. Chairman: We will keep that in mind. We will contact you, Mr. Becker, in case we are in need of your resources.

Our next presenters are from St. Michael's College School. This is item 709. I just have one name, and that is Father Fitzpatrick, principal. I do not know your colleague. Perhaps you could

start by introducing yourselves to us, and then taking us through the brief.

ST. MICHAEL'S COLLEGE SCHOOL

Father Fitzpatrick: Ladies and gentlemen, members of the standing committee on social development, permit me to introduce myself. I am Father Norman Fitzpatrick, a member of the congregation of St. Basil known as the Basilian Fathers, and I am principal of St. Michael's College School. With me, on my right, is a confrère of mine, Father Paul James, who is one of the members of the Basilian Fathers and principal of Michael Power/St. Joseph's High School here in Toronto—another Basilian high school. I thank the members of the committee for the opportunity to address them this afternoon.

I am here representing St. Michael's College School, and I would like to deal with two main concerns I notice have surfaced during the debate on funding.

The two concerns are as follows: I think questions have been asked about why St. Michael's College School has declined funding. Concerns have centred on the ultimate legislation that will establish funding for my colleagues in the Catholic separate high schools. The Basilian Fathers stand, wholeheartedly, behind the funding of Catholic high schools. This is witnessed by the enthusiastic acceptance of it by four out of the five Basilian schools in Ontario.

The Basilians operate schools in Windsor, Sudbury, Sault Ste. Marie and Michael Power/St. Joseph's here in Toronto, as well as St. Michael's College School. Father James is with me today, to witness to the fact that we stand behind the funding process. Also, Father James is here as witness, along with myself, to the Basilian Fathers conviction that the long-standing tradition of Catholic independent education in Ontario is one that should be kept alive. The brief will help me to argue this. I would like to go into the brief at this time, with that as a preamble.

St. Michael's College School has declined government funding for many reasons, and none of them should be interpreted as being in disagreement with government support for Catholic secondary schools. That support is a matter of justice, too long denied, and we rejoice it has been realized.

2:50 p.m.

St. Michael's position in this matter perhaps needs some clarification. Founded in 1852, the school has more than a century of experience in the Catholic independent or private school

tradition. It knows first hand what an effective instrument this tradition is for achieving the goals of Catholic education.

As welcome as the good news of funding is, it could endanger the survival of the Catholic independent tradition and deprive Catholics of an alternative to government-funded schooling, such as their fellow citizens enjoy in their independent schools.

There is need for a cadre of Catholic independent schools across this province. They will not be numerous and they need not be. They are needed for the traditions and educational philosophy they stand for and also as reminders to the evolving separate high schools of the historic roots from which they themselves have so recently sprung.

St. Michael's then takes this small step towards preserving the Catholic independent tradition in the hope that others will be encouraged to support, if not follow, the initiative. It does so as well in the conviction that a healthy pluralism enhances any human endeavour. Catholic education can achieve greater excellence if it speaks its vital message through the two historic traditions of public and independent education. In this way, the reductionist tendencies of what could very easily become an educational monolith can perhaps be offset. The vigorous interplay of the two traditions will bring out the best in both.

One of the priorities St. Michael's has in offering a Catholic independent school is the retention of a moderate fee structure. It has always been a policy of the Catholic private schools that financial consideration should never be an obstacle to a student who wishes a Catholic education. The fees at present at St. Michael's are \$1,175 per year, about a third of the actual cost, and they will rise at the rate of inflation each year. Bursaries are available for those families who cannot meet this moderate fee if they qualify.

Both Catholic separate and Catholic independent schools face the perennial challenge of ensuring that their catholicity is not compromised. Catholicity, the *raison d'être* of the separate high school, should permeate every aspect of its life. The late Catholic Archbishop of Toronto, Philip F. Pocock, expressed this essential quality so well when he defined a Catholic school as one in which God, his truth, his life are integrated into the entire syllabus, curriculum and life of the school.

One purpose in submitting this brief to the committee is to urge, on behalf of my colleagues

in the new separate high schools, that any new legislation granting funds to grades 11, 12 and 13 be drafted in the light of this definition and in the spirit of the British North America Act. The British North America Act recognized that if Upper and Lower Canada were to become a nation, it could only come about if both founding cultures, French and English and the two religious traditions behind them, Catholicism and Protestantism, were preserved and guaranteed equal status. Otherwise, Confederation would remain a dream.

In the current debate on funding, one often hears that completion violates the principle of the separation of church and state. With due respect, the principle of separation of church and state is an American principle, not a Canadian one. We have leaned more towards the British origins of this situation in our dealings in Canada.

The Fathers of Confederation were preoccupied with accommodating the cultural and religious traditions of the founding nations of this country in the act that brought unity out of their diversity. They saw the close association of culture, church and state as the very glue of Confederation. It has been at the root of our success as a nation.

Canadians tend to forget or have never been acquainted with these historic commitments to the two founding cultures and religions, commitments that have assured Canada's steady progress to nationhood.

One area in which the fathers were most careful to ensure the cultural and religious traditions of French- and English-speaking Canadians was in the area of education. They guaranteed that what was considered to be a basic education in that era, namely to the end of grade 8, would be available in the form of tax-supported schools to both the Catholic and Protestant minorities in Upper and Lower Canada.

As the concept of basic education evolved to include secondary schooling, so one would have expected that the provision of tax-supported schools would be extended through to the end of high school for the two minorities the British North America Act sought to protect. This tax support did materialize to the end of high school for the Protestant minority in Quebec; it did not for the Catholic minority in Ontario.

Happily, that lapse in justice is about to be redressed. It would be a greater injustice, however, if in the process of doing so the catholicity of the separate schools were endangered. That danger would become real if the

matter of access to the Catholic schools were not handled with discretion.

Universal and permanent access to separate schools by non-Catholic teachers and non-Catholic pupils would destroy their very nature. It should be clarified that access to Catholic schools by public school teachers who are displaced as a direct result of the completion is a matter of social justice. They must be given teaching positions in the separate schools until the dislocating effects of completion have been assimilated.

Welcoming displaced public school teachers, then, is not at issue. What is at issue is whether the government has an historical obligation to preserve through effective legislation the *raison d'être* of the Catholic schools. St. Michael's believes it has.

At issue is whether anyone other than committed Catholics can teach Catholic beliefs and moral precepts, and more importantly, model a living Catholic faith for Catholic students. St. Michael's is of the firm conviction that only committed Catholics can fulfil this mission.

In regard to the access of non-Catholic students to the separate schools, it has always been the practice of the separate boards to welcome non-Catholic students if space is available. A minimal enrolment of such students would not compromise the catholicity of the schools. Any legislation that would mandate universal access to the schools by non-Catholic teachers and non-Catholic students would not only break faith with the spirit and commitments of the British North America Act, but would utterly destroy the purpose of these schools. This last state would be a worse injustice than the first.

I thank the members of the committee for their patient consideration of this brief.

Mr. Chairman: Thank you, Father Fitzpatrick. Some of us were looking forward to your appearance before the committee, given our prior understanding of your position and having respect for the decision St. Michael's has made.

We find it interesting that we have had such a range of response from the Catholic community with respect to the preservation of catholicity and its required component parts. We have had people echo your sentiments in various parts of Ontario. Some of these people are determining to stay in a private system, but most of them are hoping the legislation will be changed to reflect that concern and have not really indicated to us what they would do if it did not change or if access were increased. It has been quite interest-

ing for us to see. We have several people with questions.

3 p.m.

Mr. Henderson: Thank you, Mr. Chairman. Father, I have no quarrel with the thesis that only Catholics can fully convey, teach and serve as role models for catholicity in the broadest sense. It seems to me implicit in what you are saying, though, that alternative role models will interfere in some way, whereas I cannot really understand why that could not be seen as enriching.

I cannot see the problem if, say, 10-per cent or even 20 per cent of the staff were not Catholic. That would still allow 80 or 90 per cent of the teaching and other staff to be Catholic so that role models in the teaching spirit, the philosophy, and the faith would surely still be very predominantly conveyed. I cannot understand why that would not enrich the Catholic education in the sense that it would let young students expand their horizons without, in any meaningful or serious sense, diluting the catholicity of their education. I wonder if you could comment on that.

I have a seemingly different question, but perhaps it is really part of the same issue, so I will ask it at the same time. I have had some experience with Catholic hospitals. Has the catholicity of Catholic hospitals been lost or partially lost in the course of increased public funding or not? Perhaps those two questions can be put together. It seems as though we are following a route in education that hospitals followed some 10 or 20 years ago, and I am wondering if comparisons can be made.

Father Fitzpatrick: I do not want to speak for the Catholic hospitals; I think they should speak for themselves in that matter of catholicity. Inherent in my presentation was a definition of a Catholic high school which enabled catholicity to permeate the whole life of the school. It seems to me only someone steeped in the Catholic tradition can permeate the history course, or the values that come out in science, and relate them to the Catholic tradition in those areas, and could teach science or English or history effectively in the Catholic milieu.

There is no doubt values come across in the classroom whether we want them to come across or not. As much as we might attempt to be neutral, values do come across. The Fathers of Confederation tried to allow Catholics to make sure Catholic values were available to Catholic students. It is kind of a religion across the curriculum idea the Archbishop was trying to bring out. Those values should permeate all areas of school life.

Maybe I could handle this best by an example, and I do not mean this example to be odious in any way at all. I think the political parties of Ontario are a lot like educational systems. At the heart of the party is the philosophy—a set of values—and they result in policies. The philosophy, the values and the policies of one party differ significantly if not radically from those of other parties. I would ask of the three major parties of Ontario: What would you say about access to membership of your particular party? Should a confirmed member of the New Democratic Party, or a follower of the Liberal Party be allowed access to the—

Mr. Bernier: No way.

Mr. Chairman: Calm yourselves.

Interjection: You are touching a nerve.

Father Fitzpatrick: There is a parallel here I think we should examine, which is a member from another party becoming a member of the political party and rising to a position of responsibility.

Mr. Davis: The NDP?

Father Fitzpatrick: And vice versa. The PCs vis-à-vis the NDP or the Liberal Party. I think each party would react against membership being extended to individuals who may not agree with the party philosophy, may not live out the philosophy and the values. Only committed members can make a party, such as the Liberal, the Progressive Conservative or the NDP, and be truly faithful to its philosophy.

Mr. Henderson: May I make a supplementary point, Mr. Chairman? Following that analogy, it seems to me, although what you say it true, nobody would ever argue the Legislature ought to contain only spokesmen of one party. No Liberal, I hope, would ever feel people who may embrace his philosophy should not be exposed also to Conservative philosophy or the philosophy of social democracy. To do that is totalitarian and, to pursue this analogy, it follows that what you are arguing for is something comparable to a totalitarian system within the Catholic school.

It seems to me that is regrettable when the minds of youngsters are so malleable. When most youngsters are reaching for expanding their horizons and for many different points of view, it seems to me a shame to deny them. That is what is behind my difficulty in understanding why a 10 per cent or 20 per cent minority status for other points of view would be damaging or destructive. It seems to me it would be enriching.

Mr. Chairman: I wonder if I might caution members about analogies that often do not hang

together. There are difficulties with them, not because they are odious, but because the parallels are not there, even between the hospital system and the education system. They talk about two very different things.

I would also caution Mr. Henderson about the use of the word "totalitarianism" when referring to groups coming before us. It is something like parliamentary language. We try to be a little careful about not being too loose with that language.

I would like to move on with Mr. Cooke.

Mr. D. S. Cooke: I only have two quick questions. Realistically, if access was opened up, do you think the Catholic school system in Ontario would have a lot of non-Catholic students who would want access to that system?

Father Fitzpatrick: It depends on the region. In Toronto I do not see any reason when a great variety of public education is available to the non-Catholic population. If they want to come to the Catholic system, it must be for some pretty persuasive reasons. Exceptions are certainly made in every situation. In the past, we have accepted non-Catholic students into the separate system.

I do not think it is a problem in the urban areas. In the smaller centres it might be a problem where only one school is available and, in one case, it might be a Catholic separate school. Certainly the non-Catholic students should have access and should not be compelled to participate in the spiritual program of that school.

Mr. D. S. Cooke: Basically the bill as presented—even if access were opened up further, the implications would be the same. It is your understanding, and I agree, that in urban areas non-Catholic students would not turn to the Catholic school system. In rural areas there is provision in the bill, in any case, that non-Catholic students can attend.

I have difficulty with your brief in one area—in a few areas, but one in particular. Your brief focuses on maintaining the catholicity of the system, which obviously we all agree with or else there would not be a thing called Bill 30. Even if we took all your recommendations and built them into the bill, my understanding is that at St. Michael's you still would not accept public funding. I am curious to know why.

Father Fitzpatrick: I tried to bring it out in the brief, Mr. Cooke, that I think pluralism is very important to a democratic society. There is more than one way to express the goals of Catholic education, and the two traditional systems for promoting the goals of any system of

education have been the public and private independent traditions.

I think to lose sight of the history from which education sprang—it sprang from the independent tradition—to have that disappear so quickly without evaluating what it has accomplished would be to not appreciate history.

3:10 p.m.

The alternative side of that coin is, let us say, that the rest of society has the choice between public education and independent education. The Catholic population should have that choice, as well, an independent school that is Catholic.

Mr. D. S. Cooke: If the Legislature took the next step in the future of supporting independent schools with financial assistance, what would your position be then?

Father Fitzpatrick: I would make the distinction there between private and independent. My understanding of a private school is one that would accept some financial support from government sources and would have to decide whether that would compromise any independence that it thought was precious. The independent school's tradition is loath to become involved with public funding, no matter what the situation may be.

We would have to see what the commission is bringing out in that regard and what the government will be ready to do in the way of leaving the schools independent or private to pursue the full philosophy those schools may stand for in education.

Mr. Davis: In effect, you are saying that if the Shapiro commission suggested that you could retain what I would want to call your integrity, then you would be prepared to accept financial support based on your understanding of the integrity of your system.

Father Fitzpatrick: I would not want to say yes to that.

Mr. Davis: I did not think you would want to say yes to that.

Father Fitzpatrick: We should wait and see. I think you are as concerned as I am about what that commission is going to say.

Mr. Davis: I have two questions. First, you stated in your brief that your students pay \$1,175. That is one third of the total cost. Where do the other two thirds come from?

Father Fitzpatrick: That was always the case with the Catholic schools in Ontario prior to 1967. The Catholic schools had no support from the government and they had a very difficult time

making ends meet. That situation has not changed completely. Fund-raising has always been a part of the Catholic tradition to keep the schools open and to keep the fees moderate. That will have to go on in St. Michael's case.

Mr. Davis: Do two thirds of your educational costs come from fund-raising?

Father Fitzpatrick: No, they do not. The Basilian Fathers themselves have a religious life. Their vow of poverty means that they take their salaries and the basic needs for their lives are met, but the rest is donated to the institution for the promotion of the goals of Catholic education.

It is not going to be easy, believe me. We are going to have to rely on the friends of the school, the alumni. The Basilian community itself is behind the project and is giving its verbal support, if not resources. The school's resources themselves are going to have to be drawn into play. The Basilians have been here and St. Michael's has been here since 1852, so you can surmise that resources are there, with the help of friends and alumni, to be able to keep the fees moderate and to ensure that the school survives.

Mr. Davis: The funding of the separate schools interests me. I was not aware of how it was all done. In some of the jurisdictions we find the archdiocese contributes, or rather there is a tax. Do you have that system in your jurisdiction?

Father Fitzpatrick: In Toronto?

Mr. Davis: Yes, at St. Michael's.

Father Fitzpatrick: No, that does not obtain in Toronto.

Mr. Davis: I would like to ask you about accessibility. Cardinal Carter has stated he does not believe that non-Catholic students or non-Catholic teachers in the separate school system will in any way destroy or endanger what he calls and what you refer to as your catholicity.

What would be your feeling about an access program that said the separate schools were open, because of public funding, to any student who wished to go, but, except for the limitation spelled out in Bill 30 where a student who has to go there because of program or distance is exempt from religious education, any other non-Catholic student who wished to attend would be required to take religious education?

Father Fitzpatrick: Would be required?

Mr. Davis: Would be required to take it.

Father Fitzpatrick: Again, does it not depend on the area? If in Toronto, the student has a choice of many schools to go to in the public

system, why would he gravitate towards the Catholic system?

Mr. Davis: You make an assumption that I think is a fallacy, that every student who goes to the separate school board does so because of religion. I have seen the ads in Metro Toronto and so have you. The thrust of those ads is discipline and quality of education. There are a number of parents within various types of communities who believe the Roman Catholic separate school system is of better quality and is better disciplined. That is why some students go.

Many may go for religious education. I am not denying that. I am, however, trying to get at whether you feel the accessibility problem would be addressed if access were open to anybody, but all students would be required to take religious education, with exemptions for certain students for specific reasons. Would that deal with your accessibility problem?

Father Fitzpatrick: You are saying that all non-Catholic students who come would have to take religious education?

Mr. Davis: Except those who are exempt now under the bill.

Father Fitzpatrick: The *raison d'être* of Catholic schools is to try to prepare a Catholic for life as a Catholic. That is why they were established. In 1867 the Protestant orientation had a similar motivation. Why would you change the *raison d'être*, to prepare Catholics to live the Catholic life, at this time in history? That is what that would do.

Mr. Chairman: Mr. Allen, may I limit you to one question? We are going over again. I will catch you first next time.

Mr. Allen: Thank you. That is okay. Do not worry about it. I have asked plenty of questions. I am not going to hold it against you.

There are a number of questions one would like to pursue. All forms of education came out of private education originally. There was a time when there was no public education in any recognizable sense of the term, so this all lies back there. The question we must address is whether we want to maintain that tradition and, if so, in what form and on what basis.

I am not sure I entirely understand your statement when you say, "At issue is whether anyone other than committed Catholics can teach Catholic beliefs and moral precepts." You used the analogy of the three political parties. Yet the three political parties reside within a parliamentary system that shares all sorts of common values with respect to political processes, the

ends and purposes of political behaviour and what have you.

Similarly, Catholic tradition rests within the context of western culture for which it itself, in turn, was very largely responsible in the early years. Protestantism comes out of the same base root. There are immense overlaps; I have known non-Catholics who have been better able to explain Catholic beliefs and moral precepts than many Catholics. That being the case, I am not sure I understand the central principle you want to lay so heavily in there, although I recognize your concern.

Do you really feel as threatened as this seems to imply by the presence of non-Catholic personnel on your staffs or teaching in St. Michael's College School, or by the presence of non-Catholic students? I am not sure whether I am wrestling with a logical statement or whether I am coping with a feeling.

Father Fitzpatrick: I do not think it is a case of feeling threatened. I go back again to the purpose of the Catholic school. It is not simply a case of dispensing factual knowledge about the doctrines of the faith; it is living that faith life in the public forum of the classroom. The student may learn more from the teacher as a teacher than about the discipline that teacher may be teaching. It is the lived dimension of whatever he or she may be teaching that is vital to the success and to the purposes and philosophy of the Catholic school.

3:20 p.m.

I will again make the analogy of the political parties. You have a youth dimension to the three parties. Would you invite Liberal youth who obviously belong to the Liberal youth wing, or Progressive Conservative youth who belong to the PC youth wing, to become members of the New Democratic Party if their philosophy were not consonant with that philosophy?

Somewhere the political parties must train their aspirants in their own philosophy. There is a certain hothouse element to that. I use the word "exclusivity" for the purposes of accomplishing a goal. I do not mean it to be used in a pejorative sense. We are very careful to train our people in whatever community we want them to function, in such a manner that they will be competent in living out that philosophy.

Mr. Allen: As a member of a catholic party that embraces the best of Toryism and liberal democracy, I have some sense of what you are driving at.

Mr. Chairman: That malleable state. I agree with you. Speaking as an example of a convert

who became a greater zealot for our political cause, it is a useful thing to get the odd young Liberal into the NDP. It has not hurt us too much in the past.

I think these analogies are quite unfair and they do not work, even with the hospital situation. I do not think that the question of catholicity within a hospital structure is the same as talking about education and the formation of ideas.

Father Fitzpatrick: That is quite right.

Mr. Chairman: It is quite a different matter to provide service to a group, to the Catholic Children's Aid Society, if I can put it that way, to a community of interest, than it is to talk about the formation of thought and the passing on of traditions and values.

The same thing would go for most of the parties. We are not heavily into formal training of our people. We tend to take them as they come and burn them out as fast as we can in order to gain our goals. We do not do enough ideological indoctrination. Would you like to make a comment?

Father James: It is just the emphasis on universality. We do exist because of our catholicity. You can talk numbers, 10 per cent and so on, but the thrust is there for Catholic students taught by Catholic teachers. We have traditionally had at Michael Power/St. Joseph High School non-Catholic students and non-Catholic teachers. If you would make it universal, you could possibly have a non-Catholic staff teaching in a Catholic school.

Mr. Chairman: I was not trying to invalidate your position. I was trying to say that the analogies you were making were weaker than your actual case.

I have great respect for the decision that has been made by the Basilian Fathers to take the route they have for independence. That is an option that people who have that approach to the question should be looking at seriously as we move through this bill.

I am very pleased that you were able to come today to express that to us, even if you only did get in the one sentence. Thank you both very much.

Father Fitzpatrick: Thank you very much.

DURHAM REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Mr. Chairman: Our next presentation is from the Durham Region Roman Catholic Separate School Board, Mrs. Longo and cohorts, item number 710 for the members. Welcome, Mrs.

Longo. After you introduce your colleagues to us, I will have to slip out for a second. I will have Mr. Cooke take my place, but I will be back for the majority of your presentation.

Mrs. Longo: Thank you. We are very pleased to be here and I would like to introduce the members of our team.

My name is Sally Longo and I am chairman of the Durham Region Roman Catholic Separate School Board. Sitting on my right is Mr. Michael O'Connor, president of our teachers' unit, the Ontario English Catholic Teachers' Association. On my immediate left is Dr. Earl Lagroix, director of education, and at the far end is Mr. Hans Vanleeuwen, trustee and chairman of the board's completion committee.

In the next 10 minutes, we will highlight some of the key areas of our brief. Then, among us, we will attempt to answer the questions I am sure you will have for us.

As representatives of the Durham Region Roman Catholic Separate School Board, we are pleased to have the opportunity to appear before this committee to present the board's views on Bill 30 to extend full funding for Roman Catholic secondary school programs.

The board was particularly pleased that all three political parties of this province support, in principle, the full funding of Catholic secondary education. This legislation will provide separate school boards with the opportunity to offer their students a more comprehensive range of secondary programs and thus enable the board to fulfil the educational initiatives of the Ministry of Education's policy document, OSIS.

The board appreciates and endorses the six principles outlined by the Minister of Education in his statement to the Legislature as he presented the proposed Education Amendment Act, 1985. The trustees submit this brief in the spirit of cooperation as we proceed to bring about this long awaited change to its harmonious fulfilment.

The Durham Region Roman Catholic Separate School Board serves all of the Durham region, with the exceptions of the towns of Newcastle and Bowmanville. The board serves the four main lakeshore communities of Pickering, Ajax, Whitby and Oshawa, and the townships of Brock, Uxbridge and Scugog, extending northward to the shores of Lake Simcoe. We have 31 schools within that area, of which two are secondary and two are francophone elementary, serving a total enrolment of more than 12,500 pupils.

This September, our Durham East Catholic high school, Paul Dwyer, located in Oshawa, opened its doors to about 940 students, many of whom are housed in the 11 portables on site. Our Durham West Catholic high school, Denis O'Connor, in Ajax, was built within the constraints of the capital grant plan guidelines for elementary schools. The new school in Ajax opened with six portables in September 1984. Today, one year later, 16 portables are required to house many of the 950 pupils. The members will find a more detailed explanation of our accommodation crisis on page 15 of this brief.

Durham region is a rapidly developing area, industrially and residentially. Along with the increasing growth in residential development, there has been a corresponding growth in both the separate and public school boards' elementary and secondary schools. Tied in with this rapid growth is an increasing demand by parents to have their children complete their education within a Catholic environment.

In 1980, roughly 35 per cent of our separate school supporters had their children continue on to Catholic high schools. This service factor grew to more than 70 per cent in 1984, well before the announcement on extended funding. There seems to be no question that parents want and fully support Catholic secondary education, even though for some it has been, and continues to be, a financial hardship.

The board's plan for secondary school programs accepted the principles of funding established by former Premier Davis and this was received and approved by the planning and implementation commission and the Minister of Education.

The board has established with its coterminous board, the Durham Board of Education, a working relationship at the staff level based on cooperation and a mutual concern for students and employees. In the current year, new secondary school teaching positions that resulted from increased enrolment at our two Catholic high schools were posted with our coterminous board.

Subsequently, four teachers from the Durham Board of Education were hired for September 1985, before the designation of any redundant staff. In fact, the Durham Board of Education declared no redundant staff for 1985-86 and actually hired an additional 42 secondary school teachers for September 1985.

Plans are also under way to explore ways in which the facilities of technical and business studies might be shared through a purchase agreement for the mutual benefit of both boards.

The board expects to continue this cooperative relationship with its public board on all matters, including completion.

We, as Catholic trustees representing thousands of Catholic parents in Durham region, together with our teachers, administrators and our school staff, are dedicated to honouring the basic principle that parents are the first and primary educators of their children. The right of Catholic parents to choose an education in conformity with their religious faith is paramount to the understanding of the current concerns of our Catholic parents regarding certain parts of Bill 30 and anticipated amendments to the bill.

3:30 p.m.

We offer the following comments for your deliberation on that section of Bill 30 dealing with employment of designated staff.

The board, as part of its long-standing policy, has hired a vast majority of its staff from among practising Roman Catholics. The board, however, has never excluded from its ranks qualified non-Catholics. Indeed, we are proud to have as members of our staff some excellent and dedicated non-Catholics, some of them in sensitive and important positions, such as executive secretaries and high school department heads. The hiring of all personnel has always been carried out according to well-thought-out policies with appropriate guidelines which outline the mission of the various components of a Catholic school and describe the outcome desired.

The bill as it stands does not allow for a process of calling forth volunteers from the local public board. Neither does it provide for a process of interviewing prospective candidates, a process which is normal, standard practice with all government and private agencies. Proper interviewing procedures are necessary to assess, explore and clarify the potential employees' philosophy regarding Catholic education and their ability to perform within the policy and guidelines of the Roman Catholic school board.

One of the principles enunciated by the Minister of Education on July 4, 1985, indicated that the distinctive mission of the Roman Catholic separate school system must be maintained and that government saw the completion of funding as a major contribution to preserving the unique mission of the Roman Catholic secondary schools.

The Durham Region Roman Catholic Separate School Board believes the Catholic mission of its schools and its system could not be maintained if its key leaders did not share a faith commitment

with the majority of its students, parents and ratepayers. It is the board's view that a leader must be a witness to a faith; something impossible if the faith is different. The catholicity of the separate secondary system to a large measure depends on commitment to its philosophy by the teachers and particularly by the leaders of that system.

The fact that Catholic schools are indeed different may be demonstrated with the following quote:

"As has been pointed out, the Catholic school is different from the public school. In addition to the ordinary academic program, a religious element which determines the true nature and character of the institution is present in a Catholic school. To carry out the purposes of the school, full effect must be given to this aspect of its nature and teachers are required to observe and comply with the religious standards and to be examples in the manner of their behaviour in the schools so that the students see in practice the application of the principles of the church on a daily basis and thereby receive what is called a Catholic education."

The author of these words was none other than the Honourable W. R. McIntyre of the Supreme Court of Canada when delivering the judgement of the court in the Margaret Caldwell case of December 20, 1984.

Whatever may be defined ultimately as "creed" and/or "lifestyle," the important and significant point for employment with a Catholic school system is the potential employee's ability and willingness to work loyally within the aims and philosophy of that system.

To summarize the preceding comments, the Durham Region Roman Catholic Separate School Board suggests the following principles be reflected in Bill 30 regarding the designated staff:

1. Roman Catholic school boards be allowed to call for Catholic volunteers from the local school boards in order to meet their specific staffing needs.

2. After hiring the Catholic volunteers, if more teachers are needed, Roman Catholic boards be permitted to hire from the local school boards non-Catholic staff supportive of the distinctive mission of Catholic schools.

3. All those employees from public boards, Catholic and non-Catholic, willing to transfer to Roman Catholic boards and found qualified by those boards, be credited against the designated list.

4. All public board staff, those willing to transfer on a voluntary basis and those designated by the public boards, must go through the appropriate interview and assessment process provided by the Roman Catholic school board for the employment of any new personnel.

On the topic of pupils' right to admission, separate school boards across this province have for many years provided educational opportunities to non-Catholic pupils. In Durham region over the years many hundreds of non-Catholic pupils have taken advantage of the board's excellent junior and senior kindergarten programs.

The reality of separate school boards in Ontario is that often space within the school, a grade or program, is simply not available; not in a rapidly expanded board, such as ours, and certainly not in our secondary schools. In fact, in our secondary schools about 31 per cent or 800 pupils are located in 27 portables.

The board strongly opposes the concept of universal access if it means that the board must accept pupils from either system on a first-come, first-served basis, or totally open access without qualification.

This would simply negate the whole concept and philosophy of the Catholic school and violate the intent of extended funding as stated by the former Premier, the Honourable William G. Davis, and the Minister of Education and as currently reflected in Bill 30.

Thus, the Durham Region Roman Catholic Separate School Board recommends to the committee that the bill or any future amendments to it reflect the following concepts:

1. Catholic parents and ratepayers designate their taxes to a separate school system and all others to the public system.

2. Each system be entitled to provide educational programs first to those who have been appropriately assessed to be their tax supporters.

3. Each school system be required to provide appropriate educational programs to those pupils from the other system for reasons of accessibility or lack of suitable programs in their own system.

4. Those pupils from the other system who desire to be admitted but are not disadvantaged because of distance or program, may be admitted if space is available and the appropriate fees are provided as outlined in subsections 136o(3) and (4).

The board further sees the admittance to this system of pupils from nonseparate ratepayers, for other than the reasons previously mentioned, as unfair to the public system.

We do not wish to be in competition with the many excellent public secondary schools in our region. We seriously desire to provide educational services to our separate ratepayers and to pupils from nonseparate ratepayers for reasons of distance and unavailability of program.

As for exemption from religious programs, the board agrees that pupils who attend separate schools for reasons of accessibility or program should be excused from religious education courses upon written request as outlined in subsection 136o(6).

We feel, however, that religious activities and liturgical services are important elements in the formation of school spirit and the holistic approach to Christian education.

There are many aspects of the liturgical celebration and retreat experiences which are worthwhile from a humanistic standpoint and would be of great benefit to the total development of young men and women in today's society. Perhaps the same can be said for parts of the formal religious programs.

The board feels that, prior to exemption from such courses, non-Catholic pupils and their parents should be given the opportunity to review the detailed content of such courses or programs before exercising their exemption rights.

The board takes the same position with regard to non-Catholic students who attend Catholic secondary schools on a voluntary basis.

Two areas of the bill, subsections 136l(21) and 136o(15), include terms that would require Roman Catholic separate school boards to relinquish their rights under sections 18 and 23 of the Human Rights Code, 1981. Inasmuch as these rights emanate from rights guaranteed under the Canada Act, 1982, and its predecessors, the board finds it most difficult to accept such requirements.

3:40 p.m.

In conclusion, the Durham Region Roman Catholic Separate School Board finds the legislation contained in Bill 30 to be, for the most part, acceptable and appropriate to facilitate the completion of the Roman Catholic separate school system. The board commends the Legislative Assembly on this legislation and encourages the speedy consideration and approval of a revised Bill 30.

It is further our wish that revisions will incorporate some resolutions to our concerns. We ask the committee to take our comments under advisement and thank you for your consideration of this submission. To add encouragement and support to the committee members

and to the government, we would like to file with the clerk, petitions containing approximately 2,500 names from our ratepayers who support the extension of funding.

Mr. Allen: As I recall, we did have some presentations from your jurisdiction in another form early in our hearings. I do not remember them with entire clarity but we did get a great deal out of those presentations at the time.

Could you clarify for me your observations on access and exemptions on page 15? You review the exemptions for students who are in the program by virtue of necessity of one form or another, broadly construed. Then you say the board takes the same position with regard to non-Catholic students who attend Catholic secondary schools on a voluntary basis. Do I read that correctly?

You appear to be saying that normally a non-Catholic student present by choice would, if he requested it, be granted exemption from the formal aspects of religious instruction in the schools but that you would want him and his parents to look at the curriculum and evaluate it honestly and carefully. You would want him to take seriously the fact he is entering a system whose purposes were overarched by religious intention. Is that broadly what you are saying? An exemption would be granted, but you would want him to take everything you hold very important into account.

Mrs. Longo: In a simplified answer, yes. If someone perceives that a Catholic education has certain components that are desirable to him and he voluntarily wishes to come into our system, then it is our responsibility to point out to him one of the reasons he has that perception, and that is based on the religious component. We would want him to see exactly what it is and to feel comfortable with it. If he continues to wish to be exempted, then we would be quite willing to honour that, dealing on a case-to-case basis.

Mr. Allen: That is a very fair and open approach. To have those mechanisms structured to accomplish that end would be highly desirable. I presume they are already in existence. Do you have many non-Catholic teachers in your system at this time?

Mrs. Longo: Yes.

Mr. Allen: Are any of them in supervisory positions?

Mrs. Longo: We have seven non-Catholic secondary teachers in our system, and at least one in a department head position.

Mr. Allen: Has that been the case for some time? Are they long-standing teachers or recent acquisitions?

Mrs. Longo: I would refer that to the director.

Mr. Lagroix: Of the seven non-Catholic teachers, three hold department head positions. This is the first year our board has appointed department heads as a board, although these are long-term teachers with the private school and therefore held the position but under the private sector rather than the public one.

Mr. Allen: In your experience, have they provided you with any difficulty or have they themselves had any noticeable difficulty in working within your system?

Mrs. Longo: No. It is very appropriate to the question you are asking that when our students talked to you, no labels were placed on teachers.

Mr. Allen: That was one of the more dramatic elements of that presentation, when we talked with the students.

Mr. Bernier: I notice on page 11 it says that about 20 per cent of your elementary students are in 48 portables and 31 per cent of the secondary school students are in 27 portables. Is this the situation that has existed for some time in Durham?

Mrs. Longo: Yes. We have always had an accommodation problem at both the elementary and secondary levels in Durham because of the rapid residential growth. It is being accelerated each year as a result of those that entered our secondary schools from grade 8 before funding was announced. The retention rate was increasing rapidly. We have a severe accommodation crisis, when combining the two factors.

Mr. Bernier: Do you see an end to the portable situation as the shift comes and space becomes available in the public school system?

Mrs. Longo: One needs to recognize that the public system in our jurisdiction is growing rapidly as well. We would not likely find a great quantity of space available at the secondary level and certainly not in areas such as West Durham, Ajax, Pickering and Whitby which have experienced the most residential growth. I do not feel that space sharing will relieve our problems. They have a problem as well. Capital expenditures to build a new high school will relieve our problem.

Mr. Bernier: It will be a sizeable amount for that many students.

Mrs. Longo: We built the new one in Ajax for about \$3.5 million. However, that was at the

elementary level, which was under the previous regulation. It housed 540 when it opened up and, as you can see, had 16 portables a year later.

Mr. Allen: You quoted me in your brief very generously. I have been struggling through these hearings, trying to determine what is essential to Catholic boards to maintain catholicity. Obviously, there are critical points. There are governance, hiring and accessibility controls. These are the principal features.

Is it your understanding that without special protections, either in the Ontario Human Rights Code or anything that would be built into this bill, your system would be considered a religiously oriented system of public education and, therefore, your hiring practices would be oriented to take account of this?

Also, the central control for maintaining catholicity of the system exists in your normal capacity as employers of teachers, though this would be a legitimate portion of any interview with any teaching applicant of whatever background, in addition to the existence of a Catholic community where ratepayers elect your trustees and so on. Do you really have to have more than that?

Mrs. Longo: You have certainly outlined the main ingredients which help to ensure catholicity. We have identified one of the main ingredients, namely, that leadership positions be held by Catholics. In order to maintain the catholicity of our schools, we must have leaders who are witnesses to the faith. You must be a member of the faith to be a witness to the faith. The leaders, especially the principals, lead the school community and the children. We see those as the key areas. This is one of the key areas.

3:50 p.m.

Mr. Allen: We have heard some debate and even differences of opinion within the Catholic community from those who have come before us regarding the principals. I have a tendency to sympathize with that position in particular.

Given the unlikelihood of very many principals moving across in this transitional period, is there a significant danger to catholicity if Bill 30 on designated lists does include the protection even for principals to be hired into your system? I find it almost impossible to imagine that there would be a principal displaced, identifiably because of the transition of students from one system to the other in the next 10 years. But if one happened to be identified in the province, would it be a problem for this to be in the bill?

Mrs. Longo: I think the problem of putting something in a bill as law makes it very difficult

for local groups to work out in local arrangements.

I, too, would have difficulty thinking that a public board that has people in leadership positions would want to see them declared redundant. They are obviously there for very good reasons. I have difficulty in dealing with the idea that they will be transferred over.

Again, we feel that a leadership position, a principal, a superintendent-director of education, must be held by a practising Catholic. Therefore, if we were faced with that, that we had a designated principal who must move over, then we would certainly have to think over that one.

I am not sure I could give you the answer which perhaps you might wish to hear. I do not think we can answer that one.

Mr. D. S. Cooke: But you are faced under Bill 30 with the guarantee for designated teachers that you are not allowed to discriminate in promotions.

Mrs. Longo: We recognize that is there at the current time. What we have hoped to suggest in our brief is that when amendments are talked about, our concerns will be part of your consideration.

Mr. Chairman: It is hard for me to understand how you draw a distinction in leadership, for instance, leaders starting only at principal level and not at department head level. You now have several department heads who are non-Catholics.

Mrs. Longo: We feel that in the case of a department his or her main function is the co-ordination of an activity, the development and the co-ordinating of the curriculum of that particular department.

Mr. Chairman: There is leadership within it, one would think.

Mrs. Longo: We define leadership more with leading people, leading students and teachers, where we find the start of it at the principal level.

Mr. Chairman: I must say I think members would have—well, I should not speak on their behalf. I have some difficulty with your distinctions on this altogether.

Mr. Davis: A quick supplementary. If your principal was sick, who would exercise that leadership in the school?

Mrs. Longo: In a secondary school it would be a vice-principal.

Mr. Davis: If your principal was non-Catholic and your vice-principal exercised what you

would want to term the catholicity or the nature of a Catholic school—

Mrs. Longo: The difficulty I have with that part is that if you are a leader, you are a leader in total. You would accept all the responsibilities that fall under the leadership role. If you delegate part of your leadership role to someone else, then you perhaps cease to be a leader.

Mr. Davis: I will not get into that philosophical debate.

Mr. Chairman: It always surprises me when we get this range of feeling. We had principals from Hamilton before us today who saw no reason why a non-Catholic could not end up being a principal in their system. Then we have had people such as yourself speaking very strongly on the other side. I must say I find the differences quite alarming.

Mrs. Longo: I would just like to clarify again that we come from a specific region and we represent a specific group of individuals. We feel we are representing their views honestly to you. We recognize on a provincial basis it is quite possible that others might hold views other than what we do, but it would be dishonest of us to come before you and say anything other than what we feel the people we represent want us to say.

Mr. Chairman: We are not asking you to say what we want to hear, but it is always surprising that—

Mr. Vanleeuwen: Mr. Chairman, I think what one is looking for in a principal is somebody who carries the vision, the dream and, in the proper connotation, the myth on a full-time basis.

I do not think it is really any different to any life position where somebody has the responsibility, but for some reason he is absent and somebody else is acting for him. That person is not making the long-term policy decisions; it is short-term decision-making, keeping the material in the in-basket and the out-basket flowing and keeping the operations going. I think what we are looking for in a vice-principal is to keep the school moving in the principal's absence. As to carrying out the dream, I think that is really what a principal is to a community. He carries that vision, and that is what we expect. It is a total unit.

A department head's position is much more administrative. Any decision the department head makes is subject to approval by the principal and it is looked at with all department heads; so it is subject to some sort of control.

Mr. Chairman: I guess I should not involve myself in this sort of debate, but the difficulty I have is that in London we ran into a situation where superintendents of education in the Catholic system were non-Catholic and exercising a great deal of control and influence, even over principals. In other areas there were non-Catholic principals in the system. Therefore, I have a little difficulty with the peculiarity of the Durham region, which I know very well, having worked there a lot. It is distinct from these other areas in terms of the dangers to catholicity.

We should really be moving along. I would like to thank you very much for making your presentation and for your wish that we act speedily on this, which I regret to tell you is not going to be the case. We have at least 80 people on the waiting list to come before us when we reconvene as a Legislature. We will have a lesser amount of time available to us to hear people then; so we will be hearing briefs for a good while longer. We also would not want to deprive our cable audience of their daily fix of these hearings.

Our next presentation is from the Ontario Secondary School Teachers' Federation, Metro Teachers, Ms. Farrell and friends.

I am sorry we are running a little late. I have been trying to restrict this, but it never works in total terms. This is exhibit 711. Perhaps you would introduce yourself for Hansard's purposes, so they have you accurately, and then just weigh in. We will leave some time for questions.

METRO TORONTO SECONDARY TEACHERS' ORGANIZATION

Ms. Farrell: I am Joan Farrell and I am the president of the Scarborough OSSTF.

Ms. Barkley: I am Liz Barkley, president of North York OSSTF.

Ms. Farrell: Before I begin, I would like to make one correction. I think the gremlins got into our brief. Page 17 should be numbered page 15, page 15 should be 16 and page 16 should be 17. We will not be reading the whole brief. When we skip over to another page, we will indicate the page to which we are going.

We are presenting this brief on behalf of more than 8,000 public secondary school teachers in Metropolitan Toronto. We represent the teachers of Etobicoke, York, North York, Toronto, East York and Scarborough. Together we constitute the Metro Toronto secondary teachers' organization that was created because of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

That bill essentially required our six OSSTF branch affiliates and the two Association des enseignants franco-ontariens affiliates to negotiate jointly with the Metropolitan Toronto School Board. Thus, we negotiate for and are representing 25 per cent of the public secondary school teachers in Ontario.

4 p.m.

June 12 was perhaps the turning point in the delivery of education in Ontario. On that day Premier Davis made his statement on the extension of funding to the separate school system, a decision that appears to have been made without consultation with his own party, his own caucus members or the citizens of Ontario. The two opposition parties rose as one to applaud the decision without regard to the democratic due process that would normally allow public debate on such a sensitive issue.

We find unconscionable the government decision to go ahead with the funding through orders in council without the force of legislation or without obtaining the court ruling on the constitutionality of the legislation. We fully support the position of the Metropolitan Toronto School Board with respect to its constitutional challenge.

On behalf of the more than 8,000 public secondary school teachers in Metropolitan Toronto, we wish to state our opposition to the extension of funding to the separate school system. However, we do feel obligated on behalf of our members to comment on certain detrimental clauses in the legislation. There is a clause-by-clause analysis labelled appendix B.

We wonder about the very existence of this committee. When we went to the planning and implementation committee, we were told: "Do not tell us about your opposition. Tell us how to implement separate school funding." When we come before this committee, we are told: "Do not state your opposition. Tell us how to fix Bill 30." Where is a citizen's right to express meaningful dissent before decisions are made? Why does this committee now make public statements that Bill 30 will be substantially rewritten? What effect can we as presenters or you as a committee have when this is an acknowledged fait accompli?

We are in a dilemma in Metro Toronto. The Metropolitan Separate School Board has submitted a plan to the planning and implementation commission and this plan has been approved. However, the Metropolitan Toronto School Board and five area boards have declined to participate in the submission of an impact statement, believing the process is essentially

unconstitutional. They will not, and should not, participate until the constitutionality is determined by the Court of Appeal.

The Toronto Board of Education, although it submitted an impact statement, has no agreement with the MSSB on key points. Without agreement on the part of any Metro area board, more than 8,000 of our teachers have no protection either from the planning and implementation commission or from the Ministry of Education.

We have proceeded as usual with the prescribed surplus procedures in Metro, but no agreements have been made to transfer teachers to the separate system. We are now in mid-September. Staffing is continuing in the public school system according to the usual rules. The MSSB has been allowed to advertise and no regulations have been brought forward.

I turn to page 4. Over the past five years, our districts have suffered severe declining enrolment, especially Etobicoke and North York. At the same time, we are experiencing a significant shift in student subject selections as a result of the introduction of Ontario Schools, Intermediate and Senior Divisions curriculum guidelines in September 1984. These two factors had already caused a great deal of concern about job security in our profession.

Over the years, teachers and boards have developed a number of mechanisms to buffer the effects of declining enrolment and were successful in doing so. The introduction of Bill 30 will stretch the measures available to us beyond the limits of their effectiveness. Declining enrolment has had a very serious effect on our ability to deliver programs in secondary schools. In appendix B you will see the decline in enrolment from 1964 to 1984. It gives the percentages in each of the area boards in Metro.

On page 7 we have included for your information excerpts from our central collective agreement dealing with the identification and placement of surplus teachers. The clauses outlining the placement of teachers were developed over a number of years by the area boards, the Metro board and the branch affiliates. They have been evaluated and modified on a continuing basis by the same parties.

Policies relating to the movement of people are often cumbersome and require a large commitment of time and energy. The parties have made this commitment to assure the best program possible for students, while at the same time dealing fairly with teachers affected by forces beyond their control.

On pages 8 and 9 we have detailed our current practice in assignment of services. I believe you have already had that brought before you from other districts, so I will not go through it. Perhaps you would like to ask questions about it later.

The legislation must contain guarantees for the transfer of teachers. It will be impossible for the public school system to distinguish between teachers made surplus due to declining enrolment, the effects of OSIS, or separate school funding. How are designated teachers who remain with the public school system to be used? Since we already have experience with a teacher placement pool, we assume they will be assigned to research, supply work or summer and night school positions.

However, the question remains: How long will the province reimburse the Metropolitan Toronto School Board for the salaries of designated teachers? Also, will our hard-to-place technical teachers be eligible to be designated?

We have found assignment of services a very viable system in Metro. No new teachers are hired until all surplus teachers are placed in Metro; thus, our surplus teachers have been treated very fairly. We recommend a system of assignment of services be incorporated into any legislation on the transfer of teachers.

I would like to now pass it over to Liz.

Ms. Barkley: First of all, I would like to deal with the question of school closures or transfers, as the case may be.

The way Bill 30 is written, if it is implemented, will cause a great deal of concern and conflict in our communities. We have gone through closures in many of our communities and have found, as has the ministry, that it has taken two years to do them appropriately and to have community support and understanding. That is general across the province where closures have occurred. We believe that before a school closure or transfer occurs the following must be ensured.

The first thing that is not in Bill 30 at all, which we find quite offensive, is public accountability. There is only a tribunal. There should be a time line sufficient to allow input and response. You can see ministry memo B2-2, which is attached at the end. A committee to review the situation should be established representing all interested parties, that is, the teachers who are not included, the community, homes and schools that are not included, of whatever religious belief.

All review meetings should be open to the public, as is the case now with closures. Review recommendations should be made public with an opportunity for public response and the final

decision-making should rest with elected officials, not with the planning and implementation commission, which has far too much power as far as we are concerned.

Second, statistical projections and information should be made public. Third, interested parties should receive full opportunity to have their views presented to the review committee through briefs plus presentation, or through membership. We think that is a very important error in the bill and should be changed.

We are very concerned about the effect on our women teachers and on the female population. We believe Bill 30 will have long-range disastrous effects on the balance of women teachers in the public system. As you are aware, they are in the junior areas. At present the ratios in Metropolitan Toronto show the majority of teachers with zero to five years' experience in Metro are women. The statistics are on page 11.

At a time when the Ministry of Education is requesting boards to establish affirmative action programs for women employees and insisting positive steps be taken to implement sex equality in curriculum and practices, to cite two examples, it is putting forward a bill which, if implemented in its current form, will ensure a loss of job security for women.

Seniority has been established as the fairest method of determining transfer and redundancy. When designation occurs on straight seniority, the youngest group of teachers will be affected, the zero to five group, who are women of course. Thus, the impact on women teachers will be disproportionate and will have many serious implications for our system.

We recommend that an impact study be done on the effect of Bill 30 on the percentage of women in the public school system prior to its implementation; that the ministry direct all boards to collect sex-related data by subject, by position and by school in the list of designated persons referred to in Bill 30, and that all boards receiving public funds should be required to have an affirmative action policy. Then there are some more statistics, a comparison of ages of secondary school teachers.

4:10 p.m.

Ms. Farrell: We have quite a detailed section on funding which I am not going to go through. We ask you to consider the implications of sections 136d, 136e, 136g, 136h, 136j, 136n and 136o upon the funding of the Metropolitan Toronto School Board and the Metropolitan Separate School Board. From our reading of Bill 30 and as a result of consultations with officials

from the ministry, the MTSB and the MSSB, we foresee the following changes should this legislative course proceed.

As of January 1, 1986, \$1,210,520,597 in weighted assessment will be transferred to the MSSB from the MTSB. At the current secondary education property tax rate, this represents a loss of \$71.6 million to the MTSB.

One thousand students have, on the presumption that Bill 30 will become law, transferred into or remained part of the publicly funded MSSB. These students would have, without Bill 30, attended a public high school. As a result, the MSSB will receive additional general legislative grants of \$3.6 million, including \$132,000 in special education grants. The MTSB would lose \$4.5 million in GLGs. The difference in the two amounts is because the two boards have different weighting factors.

The 3,700 students who would have attended the privately funded grade 11 program in a Catholic high school now become part of the publicly funded system. These students would draw \$19.9 million in provincial grants, plus and including \$620,000 in special education grants.

The material has been put together into a chart on page 18. I would ask that you correct the bottom of the chart where it says "elimination of grant." That should be \$83 million under the province and under the MTSB. The financial consequences to the provincial government, the MTSB and the MSSB are a net saving to the province of \$14 million, an expenditure of \$29 million to the MTSB and, in the plus column for the MSSB, \$23.6 million.

These figures are based upon 1985 financial information and are for the 1985-86 year only. I realize that these are done not on Monday's information but on previous information, but they are for 1985-86. They do not take into account extra costs associated with the enrolment shift from the MTSB to the MSSB or any extraordinary expenditures that will arise.

If the situation in Metro Toronto is duplicated elsewhere in the province, it is difficult to see how the prediction of an \$80-million cost to the provincial Treasury for the first year of implementation can be valid. It is also clear that public school ratepayers will have to bear additional costs, notwithstanding the assurances of the Minister of Education.

In addition to our observation that the costs associated with Bill 30 have been understated, we have the following questions about the implementation of the sections listed previously.

1. Will the MTSB receive the fees for educating students whose parents are separate ratepayers or will the board of education where the student attends school? At present, the local board of education receives the fee from nonresident students.

2. If the current precedent is maintained and local boards collect the fees from the MSSB for the education of students whose parents are separate school ratepayers, will the power that the MTSB has under the Municipality of Metropolitan Toronto Act to determine the number of teachers that a board may employ extend to cover the teachers who educate these students?

3. The regulations concerning the paying of fees by one board to another do not address the situation where one board might wish to purchase a single course or a part timetable for a student. How would section 136d be applied in that instance?

4. What mechanism will be put in place to ensure that fees will follow the student? What safeguards will be put in place to ensure that the requirement for a fee to be paid will not impede students from attending the school of their choice?

I am not asking for the answers to those questions right now, but I assume the powers that be will answer them at some point.

Ms. Barkley: Closest to the hearts of our members are questions of superannuation. Our ageing population is probably their single most important concern. Given that, I would like to outline the problem.

Many of our members in Metropolitan Toronto with 10 years or more of teaching experience will never be able to attain the 35 years of service. This means these teachers, even at age 65, will not receive a full pension. I know this is mathematical but it is important.

There is no penalty for a teacher 65 years of age, or if age and experience equal 90, but for every year under the 90 factor—this is the important part—or under age 65, there is a penalty of five per cent. At age 55, someone who has taught for 35 years can retire on a full pension. If the individual wishes to retire one year earlier, age plus experience, 54 plus 34 equals 88, the penalty factor is actually 10 per cent. That is a big problem. The present penalty structure is simply too prohibitive for many teachers.

Early retirements are not decided upon by teachers for frivolous reasons. Teachers contemplate early retirement carefully and weigh the impact that penalties will have on their income.

The government's legislation to extend funds for the Roman Catholic separate school boards will now be an added reason for teachers to consider early retirement. Some teachers approaching retirement with a reduced pension will be dislocated for three reasons: (1) the transfer of students; (2) the reduction in programs related to student loss, and (3) the inability of some public secondary school teachers to commit themselves to the Roman Catholic system.

Because of declining enrolment and the reluctance of government to encourage early retirements, despite Dr. Jackson's recommendations in 1978, the teacher population in our public secondary schools has been ageing dramatically. If something is not done, it is going to be one big geriatric ward out there. In Metro Toronto the median age of a member of Ontario Secondary School Teachers' Federation has climbed to 45 and is increasing.

The critical problem, in human terms, is to develop short-term solutions for the crucial period ahead so attrition can be accelerated to minimize the resulting problem of teacher transfer and redundancy created by the government's plan to extend full funding.

The OSSTF believes that the combined effects of declining enrolment and extension of funding have the potential to create significant dislocation or redundancy for teachers. Even without the extension of funding, the public secondary school system in Metro faces serious declining enrolment. The decline is projected to continue until 1990. The elementary system is almost through it, but the decline in the secondary system will continue until 1990.

Incentives must be provided in the short term to encourage early retirements through methods such as early retirement incentive plans and—from our point of view very important—the elimination of the penalties for retirement before the 90 factor is reached.

We believe the Superannuation Act should be amended to permit, until 1995, for 10 years, individual teachers aged 55 or older to retire prior to attaining that 90 factor without reduction for early retirement, that is, the eradication of the penalties. This incentive will provide improved flexibility in dealing with this exceptional situation created in large measure by the government's initiative.

I will not read the next paragraph, which is statistical. I think you have had it in other briefs. I do not know whether you have the information here though. There is a distinct trend in other provinces to render early retirement more acces-

sible financially. Information provided to OSSTF by the Canadian Teachers' Federation in August 1985 revealed the following:

In Alberta, an unreduced pension is available at age 55 if age and service total 85. Saskatchewan, Manitoba, Prince Edward Island and Newfoundland all have better situations than we have. In the examples we give "unreduced" means no reduction for age. Actual years of service are used in calculating the pension.

A further advantage to the government during the 10-year period can be predicted. As the number of older and more experienced teachers is reduced, positions will be created for younger and more recent graduates from faculties of education. Therefore, the government and school boards will accrue savings in teacher salaries.

4:20 p.m.

It boggled my mind when I got these statistics. The teachers' superannuation fund is in an extremely healthy condition. Currently the fund is generating more than \$1 billion per year surplus. By 1992, in conservative estimates from our Ontario Teachers' Federation actuary, the fund will generate more than \$2 billion per year. With low inflation and relatively high interest rates, any increase to the costs of the fund due to early retirement incentives should be minimal. Again, there are some statistics on page 24 which bear that out.

We believe the fund should not be inflexible and should not be something that is just there. We believe it should be flexible and it should respond to the needs of the clients it serves. I think the fund could do what we are asking it to do in the next 10 years without any cost, or a minimal cost, to this government.

A check of early retirement incentive plans for teachers in other provinces revealed the following innovative scheme in Quebec. As a one-time inducement to early retirement, the provincial government permitted up to three years to be added to service and to age. Approximately 600 of 125,000 teachers took advantage of this option to retire early. The province is considering repeating this offer one more time, and including public servants. Do you see all these other progressive provinces?

The provincial plan in New Brunswick is like Ontario's plan. Recently, the provincial government has offered males aged 60, plus service 30, a full 70 per cent pension, and 35 years and out, no matter what age, with full pension. In addition, up to five years are added on to service, depending on age and service, to induce early

retirement. Of 600 eligible, 89 profited from this option in 1984. In Nova Scotia, teachers were permitted to purchase one year eligibility for pre-service training until July 31, 1986.

We urge the government of Ontario to establish a committee of members of the OTF and the government, to recommend provincial incentive plans for early retirement which are appropriate to Ontario, so we become as progressive as other provinces.

Ms. Farrell: In conclusion, we would like to restate our concern that approval of Bill 30 would be extremely detrimental to the present education system in Ontario.

This committee must take a broad overview of the situation that has been created: The democratic process has not been served by the bill; the constitutional question is now before the courts; commissions are reporting on educational funding and private school funding; the planning and implementation commission has been granted powers normally placed in the hands of elected officials; interim financing arrangements are being challenged in judicial review, and so on.

I believe it is your duty, as members of the standing committee on social development to recognize all the contradictions that exist in Bill 30 and to bring them to light. We recommend, therefore, on behalf of the Metro Toronto Secondary School Teachers' Organization, that Bill 30 be withdrawn, and that a royal commission be set up to determine the direction of education in Ontario. We would like to thank the committee for its time and consideration.

Mr. Chairman: Thank you both for coming. I do not know who told you we wanted to restrict you to the bill but they should not have done that. It has not worked in the past. We have had many groups speak against the principle.

Some groups, as did last night's, just speak. I was not sure what it was all about. There are no restrictions on people's commentaries at all. I have said that to people. The committee should be used as a vehicle by those people who wish the whole thing rescinded and changed, although we are charged to deal with improving the legislation. People have been using this platform to do that and it is appropriate for you to do so.

I would especially like to thank you, on behalf of the committee, for the work you have done on the retirement incentive side of things. It is something I know is dear to Mr. Allen's heart, and to other members of the committee. We have been trying to look at recommendations we can make to the ministry, outside of the bill, to facilitate things. It will help a lot.

Mr. Allen: I will echo the thanks that were just expressed with regard to this issue. I do not think I need to ask you any further questions. You have laid out a number of the options that other provinces provide, and you have laid out what would appear to be, on the surface of it, the proportions of a very healthy superannuation plan in terms of accumulated funding.

Mr. Chairman, I would like to ask you if you know where some of the inquiries we had with respect to some statistics relating to retirement patterns are, at this time, in the ministry. I see Mr. Kirkwood is here. If you remember, in London we placed an inquiry to get a rundown on the projections of actual retirements in the system that are anticipated over the next five and 10 years.

I know some of us were pretty unhappy with the figures the ministry brought back with respect to what appeared to be the costing of a global and total early retirement package, which of course is not what the teachers have been asking. I understand there was some unhappiness communicated to the ministry in that regard.

I did understand they had indicated they would bring back to us some projections of costing from their point of view that were based upon some of the time-definite proposals the teacher federations have been putting forward. I would like to see those from their side as well, but I would like to see it related to some specific proposals that had been coming forward from the teacher federations. The indications are that the cost would not be nearly of the order that was indicated earlier.

Third, as a committee we did want to have a special session on this. I wonder if the steering committee could soon project a date when the committee might have an afternoon or evening to hear specialists in the field and get our heads together around the whole early retirement issue, because it is a complex question.

Many of us sitting around the committee today do not know a lot of data with respect to the nature of the existing superannuation program, its funding, its relationship to provincial indebtedness and all sorts of matters that lie down the road. We need to have a solid session on that so we can think about it with some clarity.

Mr. Chairman: Tomorrow I will get a response from the ministry by noon on where things stand at the moment and see whether they are working as precisely around OSSTF representations on this as you would like. If they are not, we will re-charge them to do that. But I will

get some notice by noon as to where things stand at least.

On the matter of the steering committee, we could get together and talk about that. I am sure by January or so we will have a free afternoon to discuss this. I do not want to be facetious about that; I think it is a matter that would be useful for us to have some time on. However, our priority obviously at this stage has to be to hear those people who are waiting to appear before this committee. That will be our first obligation. But yes, the steering committee should meet and discuss that.

Mr. Allen: I only want to say in addition that I would hope the teachers of the province would understand that when a Premier rises and endorses one's party's policy, one normally stands up and cheers, whether it is June 12 or any other date or any other policy.

Mr. Reycraft: How long has the assignment of services model been in effect?

Ms. Farrell: I would guess since 1978.

Mr. Reycraft: Can you give us some indication of your feeling as to how well it has worked?

Ms. Farrell: I think it has been very successful. Declining enrolment did not hit all of Metro Toronto at the same time; it was most severe in Etobicoke in the beginning and then in North York. Scarborough at that point was growing.

If you look at the chart in the back, you can see that we were going up slightly while they were going down; so Etobicoke and North York benefited from the assignment of services in the beginning. They put their teachers into Scarborough, Toronto, East York and York. Then, as declining enrolment came into the other districts, we still had enough room to trade our teachers around. It has worked very well.

4:30 p.m.

Mr. Reycraft: Has there been any significant number of grievances resulting from it?

Ms. Farrell: No. I am not sure what kind of grievances you are thinking about.

Mr. Chairman: I can see the smile on Mr. Davis's face; it depends on what the definition of a grievance is.

Ms. Barkley: It is one of the areas where, when we work with the board of education, we tend to work most co-operatively. There is a genuine desire on the part of all parties to do the best that we can for the teachers. It has worked very well this year, for example.

Mr. Reycraft: Could it be used, along with a voluntary transfer principle, to deal with the whole issue of transferring teachers from the public system to the separate system?

Ms. Farrell: It would be useful, at least in the beginning, to start with that kind of procedure. When I appeared before this committee on an earlier occasion, I suggested the Metropolitan Separate School Board could sit at the same table as the area boards and the Metropolitan Toronto School Board and take part in the process that happens in June. Since the assignment lasts for one year, theoretically the teacher would come back to the sending board the following year.

Ms. Barkley: As they do now.

Ms. Farrell: That suggestion was brought forward at the planning and implementation commission too, although it was not greeted with a lot of enthusiasm. Perhaps now that you have gone through all these discussions, people might want to look at it again.

Mr. Reycraft: Do you have the resources available to draft something that would build into the voluntary transfer model, so we could take a look at it?

Ms. Farrell: Are you asking whether the assignment of services and the voluntary aspect could somehow dovetail together?

Mr. Reycraft: Yes.

Ms. Farrell: That would take some planning, but it is worth looking at.

Ms. Barkley: If this bill goes through, it would be very useful if a committee were struck composed of the Metro separate board, our own board and teachers from both sides. We should look at the slippage formula too, the concept of the designated numbers. After looking at that, we should see which of the two is the more appropriate. Those are two ideas that should be looked at soon. The appropriate body should look at this and say it can or cannot work. To this point, that has not been done.

Mr. Chairman: They have not been talking in Metro, which is one of the problems, as you point out in your brief.

Mr. Davis: I have a housekeeping matter first and then a question. I may be wrong, but I am not sure that looking at early retirement incentives was part of our mandate. If I am correct, you said we have to debate that yet.

Mr. Chairman: A motion has been proposed that would allow debate on it. Whether we can make a report on it is another matter.

Mr. Davis: You have been following the hearings, so you know about this process of volunteers wanting to go across. What are your feelings as representatives of the OSSTF Metro region with respect to the coterminous separate school board interviewing those who volunteer to come across? Should the board have a right of selection, or should there be some other process by which the volunteers are decided upon?

It is imperative that the OSSTF in jurisdictions across the province indicate its feelings quite clearly to this committee. We are getting a variety of responses to that question.

Ms. Barkley: If we were to use the slippage formula and it said 15 North York teachers should be designated to go to the Roman Catholic separate school system, it would seem the board and the OSSTF would probably designate the 15 from the public system; it would have to. Only in that context could a person be interviewed to see if the person is suitable and holds suitable qualifications to teach in the timetable he is given. If you had a situation whereby you said each person could be interviewed and refused, the designated number would never work. Then you could wait for ever while a particular principal might say in his own mind, "I want only a Catholic" or, "If I keep saying people are unsuitable, then I can eventually put an ad in the paper," or whatever.

Mr. Davis: Let me tell you the process, and it may help clarify that.

In one of the regions we had 75 teachers in the coterminous public school board indicate they were interested in moving across to the separate school panel, and there were five positions available. The separate school interviewed all 75 and selected five.

In the discussion with the separate school jurisdictions, there is some feeling they could interview all 75 and take a number from zero to five. In the beginning—it is changing rapidly—in other jurisdictions, the idea was that if there were 75, or if there were 12 volunteers and 12 positions, the public board would indicate that they would go.

How do you select the volunteers if there are 75 volunteers and five positions? Do you as a federation support an interviewing process on the part of the coterminous separate school board?

Ms. Barkley: They have to take five; they do not have a choice between zero and five. If there are five jobs, they take five people; they have to.

Mr. Davis: And you do not mind the interviewing process they use to select the five?

Ms. Barkley: No. They cannot demand to see only Catholics, though.

Ms. Farrell: One of our problems in this process is the idea of the designation without the volunteers.

Mr. Davis: The process is the volunteers—

Ms. Farrell: You are changing it to say there will be volunteers.

Mr. Davis: I am not saying there will be. The thrust is that they want to have volunteers.

Let us say the Metropolitan Separate School Board advertises in Scarborough. It has 20 teaching positions available. It goes to all the high schools. Out of that process, there might be 100 teachers interested. The Metropolitan Toronto Separate School Board wants the right to interview those 100 and make a selection based on mix and match to see that they fit; who comes into their system and who does not?

As members of the federation, do you think that is a fair and just process, understanding the numbers they select, even if they take all 20, then become the designated teachers and get all the protection?

Ms. Farrell: I do not have a problem if the teachers volunteer, are interviewed and go to the separate school system. Where I have a problem is if we have to hire new teachers to replace those, but we are still left with surplus teachers.

Mr. Davis: That is my second question.

Ms. Barkley: That is the problem.

Mr. Davis: That is because you do not have an agreement right now.

Mr. Chairman: It is also your last question. Make it a good one.

Mr. Davis: How do you suggest this committee set up a mechanism to identify those teachers made redundant by the extension of funding or by declining enrolment?

Ms. Farrell: It will boil down to a straight numbers game. You simply have to set a number based on the projected number of students leaving the public school system to go to the Metro separate school board. In the past we have never been able to pinpoint exactly why teachers are surplus. I could not say it is because of OSIS, declining enrolment or whatever.

Mr. Davis: Based on your pupil-teacher ratio.

Ms. Farrell: That is right.

Mr. Chairman: Our next presenters are Mr. Keenan and Mr. Robitaille; exhibit 712.

4:40 p.m.

P. KEENAN AND T. ROBITAILLE

Mr. Keenan: We will not take quite as long as the previous speakers since we do not have their expertise in this area.

Thank you for affording my neighbour and me this opportunity to present our views as Catholic parents on the bill to complete public funding to the Roman Catholic separate school system.

My name is Paul Keenan. My wife and I have been blessed with five children, all of whom have been or are being educated in the separate schools. Like many Catholic parents, we applauded the announcement in June 1984 by Premier Davis of the government's decision to complete public funding through the last three grades of our 14-grade school system.

We believed the decision, once taken, would be accepted as the right and just solution to the inequality in the two public school systems. We believed the Premier's statement to the House established guidelines for completion that addressed in a fair and equitable manner the concerns of those who would be most affected by completion of our schools.

While we expected some public discussion on the government's decision, it was with dismay that we watched as special interest groups negotiated their vested interests, using the funding of our children's education as the bargaining lever.

We believe that this government, in its drafting of Bill 30, has fulfilled the commitment given by Premier Davis to complete public funding of the separate school system in a manner that does not jeopardize the unique character of our schools and at the same time guards against hardships that might result through this change in legislation.

It is to discuss our concerns in maintaining the unique character of our schools that we have asked for this opportunity to speak to your committee today.

As parents, we believe it is our right and duty to educate our children and to give them the necessary values and skills to enable them to assume an adult role in society.

We believe our schools must be a continuation and a supplement to the education that we have given our children in our home. The school must complement and reinforce the values which we wish to impart to them.

My brothers, sister and I were educated in the separate school system, not because we chose to attend a small school in a large neighbourhood, nor because we wished to travel across the city to high school, but rather because our parents felt it

was important to our upbringing that the values which they had taught us be reinforced in our formative years.

My sons and daughter have not attended the separate school system because they wanted to be educated in portables, nor because they like to wear a school uniform, but because my wife and I feel, as did our parents, that it is vital to their future happiness that they have a solid foundation in faith and moral values on which to build their adult lives.

I believe it is this determination of the Catholic community to support the value system of our schools that has created the unique character of the separate school system and has enabled it to grow in the face of inequality in public funding. It is this character that must not be jeopardized through completion.

Our Catholic faith teaches us that our life on earth is but a journey home to our creator. The church shows us the way back to God through its teachings on our relationships to God and man. It calls on us to follow Christ's teaching within the limits of our human frailty. As this journey is long and difficult, we feel it is necessary to give our children as good a start as possible along the road. Our belief in this faith in no way denigrates the faiths of others or those who see life only in the human context.

The objectives of our school board reflect the Catholic community's aspirations to instil in our children the basics of this faith and to teach our children to recognize Christ's teachings as the foundation for their lives. These objectives of our board were shared with you in the brief presented to this committee by Father Boehler, the chairman of the Metropolitan Separate School Board.

We believe the teachers in our schools must support our efforts to guide our children to an understanding of Christ's teachings as they apply to their everyday lives. In our absence, they are entrusted with the responsibility of acting as role models for our children. We believe a teacher who does not accept the objectives of our board cannot fulfil this responsibility. We do not welcome those who would, by teaching or example, influence our children to an alternative lifestyle contrary to the objectives of our board and the teachings of our faith.

For this reason, we believe it is important that transfer of teachers from the public system to the separate system be on a voluntary basis. We are concerned that designation and transfer of teachers on a nonvoluntary basis will be a cause of concern both to the teacher and to our board.

Over the years, our board has had the support of our community in giving access to our schools to the children of non-Catholics who wish to have them attend our schools on the basis that they accept the distinctive character of our schools. I am sure our community will continue to support this policy when students apply on a voluntary basis.

In our schools, religion is a mandatory course of instruction. We, as parents, feel religious instruction is essential to the development of our children's philosophy of life and we support mandatory attendance.

We accept that completion of the separate school system may result in the need for some non-Catholics to transfer to our schools, and we can accept an exemption of these students from religious education. These cases, we believe, will be a small minority of the students in our schools and will not cause a disruptive effect on our children's willingness to abide by the rules of our schools.

In justice and charity, we must be concerned that completion of the separate school system does not cause hardship to members of the education community in terms of employment and professional growth. We feel, however, that the problems of declining enrolment must not be attributed to completion of the separate school system and become the responsibility of our system to rectify.

We accept that completion of the separate school system may have a larger impact on the public system in the smaller communities of Ontario than it will on the public system within Metropolitan Toronto. We support the government's need to protect the viability of the public system throughout the province. We do not see completion of the separate school system as a threat to the public system. Support for the public system will continue as long as the public boards provide public school supporters with the type of education they seek for their children.

We believe that with goodwill and co-operation, between our boards and the public school boards, the problems associated with completion can be solved in a mutually-acceptable manner and in a way that meets the needs of all children.

The Minister of Education, in his statement to the House on July 4th, established six principles for completion of the separate school system that can be supported by Catholic parents, like ourselves, and that will allow us to maintain the distinctive mission of our schools. We urge the government to proceed with adoption of this

legislation in its present form and without amendments that would alter the principles established.

We, as parents, are proud of the role our schools have played in the community and look forward to our schools being able to provide a quality education to our children and grandchildren. Bill 30 provides a basis of financial support on which our board can meet the challenge to provide a quality education to every Catholic student who wishes to attend our schools. It is up to the Catholic parents to ensure our schools fulfil the mandate we have entrusted to them of helping us to prepare our children to assume their roles as mature and responsible members of our community. Thank you.

Mr. Robitaille: Mr. Chairman, members of the social development committee, thank you for this opportunity to address you and present my views as a Catholic parent on the bill to complete full public funding of Roman Catholic secondary schools.

My name is Tom Robitaille. My wife and I have four children, all of whom have received or are receiving their primary and secondary education through the Metropolitan Separate School Board.

My wife and I are both practising Catholics educated in Montreal in its English Catholic school system, which is one of three publicly-funded school systems available to Montrealers. I am a founding member of the parents' committee that was involved in the opening of Francis Libermann Separate School in the north end of Scarborough. As parents, my wife and I believe we need Catholic schools to support the values and faith we are trying to pass on to our children.

If I were asked to keep this presentation to one sentence or one thought, this is the one point I would want to impress on this committee: As parents, we want and need a school system that reinforces, extends, complements and encourages our children to question, for themselves, the teachings we believe will lead them to and through their lives as good citizens and responsible parents.

I do not know how other parents feel about their ability to instruct and guide their children in the day-to-day decisions and activities that will mould them into the adults of tomorrow. As parents, we try to the best of our abilities to set the example we believe to be consistent with our church's teaching and philosophy.

We understand our shortcomings as humans and recognize that we cannot do our best job as

parents without the support of the educators. We do not see the school as a separate entity from the home as you would a health club or university. We believe very strongly that schools are an extension of the home and that is why we believe the teachings of the home must be reinforced in the schools.

There are many complex problems facing us today, and if the past is any indication, future decisions will become even more complex. My family needs separate schools to help develop the moral fibre required to face the debates that will be brought about by such topics as genetic engineering; unemployment and a person's need to work; the Third World and our attitudes and responsibilities towards it; nuclear power and weapons; and our society's attitudes towards life.

4:50 p.m.

These are only a few of the issues on which I am seeking an answer. I do not expect the Catholic schools to have all the answers but I do believe that if the home and school are thinking and acting in concert, then a synergy will exist to provide young people with a set of values that will help them develop solid and just positions on the very important topics that affect our society.

I know you have listened to many points of view on the extension of full public funding to Roman Catholic separate schools. I am confident that all the concerns expressed are valid from the presenter's point of view. This is not a perfect world. Every one of us sees it from a different perspective and with a different set of values. I am sure each of us can recall situations where our own opinion on a subject has changed slightly, if not completely, as we have studied and matured.

From the perspective of a Catholic parent, full funding is needed to give our children the education to which they are entitled as Canadians living in Ontario. Without full funding, Catholic secondary education will continue to be supplied in lower quality facilities at higher education costs than is available to those attending public schools. It also means some Catholics will not be able to give their children the education they prefer because facilities or finances are not available to them.

For people who want their children to go to Catholic schools, there is no incentive other than the philosophy that is an integral part of the education. My children go to a more crowded, less physically attractive school because their parents want and believe in the kind of education provided in Ontario's separate schools.

As parents, we urge you to accept Bill 30 as written and to complete the funding of Catholic

schools. You can do this and address the concerns presented to you by the many interested groups that have appeared before you. I am confident the Ministry of Education can oversee this event and ensure that individuals are treated in a just way, and that no change in the management of separate schools need be imposed because of full funding. Thank you.

Mr. Chairman: Mr. Robitaille, Mr. Keenan, we appreciate your coming, as members of the public with no vested interest, as you say, other than your own commitment to the separate system. It is always very impressive for us to have people come. You are also here during working hours. Did you both have to leave work in Scarborough, or wherever?

Mr. Keenan: I was downtown.

Mr. Chairman: But both of you took time off from your jobs to make this presentation today. It shows a remarkable commitment to your feelings and thoughts on this and as members of the committee, we appreciate that. It is easier for board members and others to find ways of getting leave to come than it is for private citizens to explain why they should come and spend time with this committee during the day. Questions from any members? Mr. Allen.

Mr. Allen: Mr. Chairman, I just want to add to your remarks. Messrs. Keenan and Robitaille, you urge us to accept Bill 30 as it is written. I suspect if you had sat with us through the past weeks, you would realize there are some written parts of Bill 30 which in all conscience we can hardly let stand. But I do want to assure you—and I think I speak for all members of the committee—that just like the generous spirit with which you have approached this question in your own briefs, we are concerned to see catholicity honoured in the separate system, as we expand it into the secondary years.

While the particulars of how that is done are not entirely clear to us, I know I am not prepared to endorse amendments which I think would be utterly inconsistent with that objective. Thank you.

Mr. Reyecraft: You talked about the schools—and I guess I am referring to Mr. Robitaille's presentation—being more crowded and less attractive. We are aware generally shop facilities are less extensive in the Catholic high schools than in the public schools.

Being aware, from time to time, of reluctance on the part of my own children to head out to school, I am interested in what degree of interplay has occurred between you and your

children, with respect to what I am sure they must have perceived as deficiencies in the educational environment.

Mr. Robitaille: It is not a hard sell. It is something we have had over years. The primary schools have similar facilities. The main deficiency comes when you get to the high schools. The oldest child is probably noticing it. However, the tradition is there. The option is open to them. My children could leave the separate school and go to a public high school, but they prefer to stay in the separate school.

Mr. Reyecraft: You have never had any arguments with them, about whether they remain in a separate school or not?

Mr. Robitaille: We have four children and, yes, I had a difference of opinion with one. I made the offer that he did not have to stay. He did not take me up on it.

Mr. Reyecraft: Mr. Keenan, have you any—

Mr. Keenan: Two of my children have gone through the system, and are in university. I have never had any one suggest they wanted to move out because of a lack of facilities. However, over the years they have certainly commented on the deficiency in sports facilities, and in drama and acting. The school they were in last year had an enrolment of 1,050 in a regular 660 student school.

Mr. Reyecraft: You have not had any arguments with them, about wanting to go to a public school because of the shop courses, or because of an art course?

Mr. Keenan: No.

Mr. Chairman: There are none at home, Mr. Reyecraft. No doubt about that.

Mr. Reyecraft: Maybe I will now be able to spend more time here.

Mr. Chairman: That is right. You mean it has not helped you being away from the home.

Mr. Guindon: Mr. Keenan, on your first page you mentioned, "it was with dismay that we watched as the special interest groups negotiated their vested interests using the funding of our children's education as a bargaining lever." Could you elaborate on that for us?

Mr. Keenan: It seemed to me that, when the announcement was made, the first reaction was to fight, between the separate school board and the other board, about whether teachers were going to have to be hired by separate school boards. Of course, this is a difficult problem. However, in my opinion, it was going beyond the context of what the bill was trying to do—which

was to extend and complete funding. There was a lack of co-operation between the various groups at that time, rather than an attempt to try to seek a solution, or bring up ways of planning.

Mr. Guindon: Do you see a change now?

Mr. Keenan: Yes. In my opinion, I believe there is.

Mr. Guindon: Do you? It is going to cost a lot of money.

Mr. Chairman: Any other questions from committee members? If not, thank you both very much for coming. We appreciate it very much.

Our final deputation for the afternoon is from Mr. Smith, of Haileybury. This is Exhibit number 713.

H. LAWRENCE SMITH

Mr. Smith: Thank you, gentlemen and one lady. You will notice this brief is handwritten. I do not know how many of those you have.

Mr. Chairman: A few, but they have been the rarity.

Mr. Smith: That makes me feel better already.

Mr. Chairman: The computerized approach seems to be the in thing these days.

Mr. Smith: Mr. Johnston, you asked about introductions a while ago. I refer you to the last paragraph of mine. I can expand on that briefly. The previous gentleman mentioned vested interests. I represent none. I am a retired school teacher at present, a retired guidance counsellor, and I voluntarily took early retirement. Some people think I was kicked out. However, I was glad to go.

I can mention that my mother was a school teacher. I think the ladies will find this interesting. My mother started teaching in 1911, and she finished teaching in 1966, at the age of 72. That would be illegal today. This is my last year teaching, and I was in a classroom on Monday, as a supply teacher. I have been with the Ontario Federation of Home and School Associations in a leadership training capacity, and I have taught in only one school in Ontario.

5 p.m.

In my brief, I mentioned that 60 per cent of the students were Roman Catholic, and 40 per cent various brands of Protestantism. I do not consider Protestantism a denomination. It is many denominations. When I started teaching, probably 70 to 75 per cent of the students were Roman Catholic. For five years I was a guidance counsellor for Roman Catholic students. I am not

a Roman Catholic. As part of the introduction, I give you my background.

What concerns me is that to date, most briefs presented to this committee, that I have seen or that have been reported in the press, appear to be concerned with legal and political issues. Most arguments presented rely solely on the basis of historical or legal precedent.

Mr. Chairman: It might be wise if you were to speak a little more closely into the microphone, so we are sure we are getting this for Hansard.

Mr. Smith: Good enough.

Surely an historical precedent, even a legal one, is not of itself a reason for proper socially beneficial political action. There have been many legislative precedents in history that are of questionable justice or of questionable social and educational benefit.

At the risk of having Mr. Johnston tell me my analogies are not good, I am going to use the term "separate, but equal" which was famous back in the 1950s. Isn't that precisely what we are looking at today; separate education, but equal funding of education? If you do not remember it because you are too young, that "separate, but equal" term occurred in Mississippi and Alabama. It is occurring today in South Africa.

The intent of this presentation is to ask questions of the legislators that relate to their educational philosophy and their perception of the nature of Ontario society in 1985. So if I come on hard to you people, it is because I am looking for some educational comments eventually from you, as opposed to precedent, political and so on.

I shall address myself to you as legislators in a Legislative Assembly whose prime function is to legislate what you consider to be good legislation. In this present case, that should mean what is good education for the secondary school students of Ontario between the ages of 15 and 19. I am assuming that covers the vast majority of students in grades 11, 12 and 13.

You do not have to answer it today, but I have one specific question: Do you believe it is educationally and socially good for the state, that is, Ontario, to pay for the segregation by choice of a particular denomination of a particular religion? That is a key question in this issue.

I will remind the committee members and the public that your job is to legislate now what is best. It is up to the minister and the Premier to execute—I was not sure whether the executive administered or executed something, but I chose execute—that legislation. It is not and should not

be a matter of confidence in the present government. You are, or should be, legislators in your own right. The party system is secondary, a matter of executive convenience, and it really should have no bearing on this issue.

I will pick on Mr. Allen for a while. Richard Allen, the member for Hamilton West, has reminded us through the press that the majority of the members of the New Democratic Party at a convention supported the extension of funding. He evidently sees no dissent within his party. Mr. Allen is no doubt correct in his facts, but they have no bearing on this issue, as I see it anyway.

As the member for Hamilton West, he should legislate on a matter as he thinks best. I invite Mr. Allen, therefore, to write again to the media on this issue and explain in detail the educational advantages of the proposed legislation. I invite him to explain specifically the educational advantages of this segregation in present Ontario society, and why, for good educational reasons, he would not support the state funding of other groups. Perhaps, Mr. Allen, you would.

I am thinking about, and you will notice my little note up there in the corner, Upper Canada College, which is just up the road. What reason do they not have, that the Roman Catholic separate school system has, for equal funding? I know some of the parents of the students there would be happy to have more government support for that school.

Mr. Conway, the minister, is now in a more difficult position as he is bound, at least to a degree, by his executive office. However, Mr. Conway is invited to comment on the public secondary school where he obtained his senior high school education, the school in which I taught him grade 11 and grade 13 history.

To the committee, I state that until 1967 there were two separate secondary schools in the 1,000-square-mile area served by the new public secondary school there. Non-Catholic students went to distant public high schools and, at present, the public high school is the smallest in the county and serves one third of the area of Renfrew county.

That 1,000 square miles is exactly the same size as the state of Rhode Island. It is half the size of Prince Edward Island. One high school, and it is the smallest school. Six public and two separate high schools serve the remainder of the county.

What educational advantage would there have been to the students of the area if, in 1967, there had been full funding given the almost equal-

60-40-division in Catholic and non-Catholic students?

The first chairman of that local high school board, Murray Daley, was Irish-Catholic, as you can probably tell from the name. His philosophy was that there should be a fully composite school open to all of the students of the area.

Ian Scott, the Attorney General, is quoted in yesterday's *Globe and Mail* as having said on Monday that the British North America Act "effected a compromise designed to preserve the denominational system that existed in Upper Canada." The words could rightfully belong to his grandfather a century ago.

One wonders where Mr. Scott has been lately. Does he not see the turbanned men of Toronto—drive out Gerrard Street East; even I, from Haileybury, know Gerrard Street East—the women in their saris—I think I have spelled that correctly, although sometimes you see it spelled sarees—the black caps of the Hebrew?

These should be the obvious signs that Ontario is not the same Ontario of 1867, and I have illustrated for you gentlemen only the obvious ones. What about the Jehovah's Witness, who was not here in 1867?

As a barrister, Mr. Scott should be aware that precedents can be cited for many differing legal positions and therefore any precedent may be of little value in a given case. The precedents of the 1800s appear to be outdated when applied to education in 1985 in Ontario.

Does Mr. Scott believe that educationally it is of advantage to Ontario to maintain that denominational system?

I have a final question to the legislators and to you committee members, and more particularly to those wishing the extension of an already-divided educational system. I think this is an important question that we should face; I would like to have asked Father Fitzpatrick about it. What is lacking in the ability of parents of one particular religious conviction to educate their children in religious and moral matters in their own home, in their own church, and not at state or public expense?

The Jehovah's Witness has to do it. The fundamentalist Protestant has to do it. The Jew has to do it. The Sikh has to do it. What is lacking in the religious faith of the clergy of a particular religious denomination that they cannot entrust the religious education of adolescents to the church and parents?

Those are the tough questions; at least I think they are tough.

To conclude, I suggest to this committee and the Legislature that within the present Education Act as it now stands there is available the means necessary to implement all proper religious and moral concerns of the Roman Catholic parent.

I listened to the two Roman Catholic parents who are here and I agreed with everything the last one said concerning what he wants for his children.

I am suggesting to you people that I think it can be done in the public high school system, in grades 11, 12 and 13.

5:10 p.m.

When the legislators have summarized those concerns—and I hope you will—as received from parents, and express a desire to implement a solution to those concerns, I will be available to the minister, to the Education critics, to the ministry and teaching officials to suggest an educationally workable solution. I believe it will be much cheaper than the \$40 million, \$60 million or \$80 million figures I hear.

I guess I am asking these questions because I am essentially still a schoolteacher, and if you do not ask questions, then you do not get answers. If I make you feel like students, so be it. Let us have the questions.

Mr. Chairman: Fine, Mr. Smith, thank you for your presentation; and it is interesting to see witnesses posing questions. Procedurally, I do not ask the members to respond to every question in the brief.

Mr. Smith: I am asking honourable members to question me on some of the hidden answers I have given to those questions.

Mr. Chairman: Exactly, and I think we saw it as that device rather than particular questions. I am sure the minister would have liked to have attended today had he had known you were going to be here. We do not hold it against you that you were his history teacher during that bad period of his formative youth. We think there must have been other influences that led him astray.

Mr. Smith: If Sean were here, I would say it indicates there were really no standards in the public school system in 1967 or he would not have been a top student.

Mr. Chairman: There is a lot of evidence of that sort of problem. My passing out of high school is another indication the system was not working.

Are there questions from members for Mr. Smith?

Mr. Allen: Since I have in a gentle way had my name taken in vain, I should respond. I agree

that whether or not a minority or a majority in my party adopts this position has no relevance to the central issue. I quite accept that. The only reason it became a matter for public comment was that other members of my party were stating things about the party and the party position. Those were matters of public record that needed to be corrected. I certainly agree with that point.

I would be happy to send you, sir, several articles I have written for the West Hamilton Journal in which I discussed many of the questions you raise and answer them in that way.

Mr. Chairman: Cruel man.

Mr. Smith: You will have to send them at your expense, because in Haileybury we do not get the Hamilton papers.

Mr. Allen: Many people do not, and they are much the worse for it.

Mr. Chairman: There are many advantages to living in Haileybury.

Mr. Allen: With respect to comments about Ian Scott, is not what one does educationally in Ontario a matter of some significance for one's weighing? Just what is the strength of constitutional right with regard to the substantial body of parents who have said over the long history of Ontario how they wished their children to be educated?

Over its long history, Ontario has said it is legitimate to approach their education from the point of view of a single, broad-value frame of reference and has provided the legislative and the financial means to expedite that. Is that not the background from which Mr. Scott is speaking, rather than from some pedantic interest in antiquarian precedence?

Mr. Smith: I do not know. I can go only by what he says or what he is quoted as saying. He is the one with whom, on Monday, Honourable W. G. C. Howland got into some discussion about semantics. I too can deal in semantics, if that is the way people want it. When he uses the term "denominational system," he is referring to the Christian religions only, and I know there are many denominations in all world religions; specifically, there are three major ones in Judaism, there are three in Islam and there are dozens in Hinduism. I know that because I have been a teacher of world religions.

If I am reading Mr. Scott correctly, he is speaking as a lawyer, not as a legislator of educational matters. If I am wrong, I will apologize to him when he tells me I am wrong. That is my point.

To return to the first part of your statement, the students whom I taught in a 15-year period in the little village of Barry's Bay were mostly Irish and Polish Roman Catholics. They were educated in either a public Catholic school or a separate Catholic school; one was in the township, the other was in the village. Those students when they came to high school, grades 9 to 13 inclusive—they did not stay in separate schools for grades 9 and 10—were, I think, quite pleased with what that school did.

Essentially, that is the question I would ask Mr. Conway. He could have gone to a separate school if he had wanted, in grades 11, 12 and 13. Mr. Conway could have gone to St. Michael's College in Toronto or to the University of St. Jerome's College, which is associated with the University of Waterloo.

He said he wanted to go to Wilfrid Laurier University, formerly a Lutheran college. He went there, as I understand him, and maybe he will correct me again, because he wanted that broadening experience, an issue some of you have raised in your questions, as I heard today. "What disadvantages are there to 10 or 20 per cent of teachers or of the students having a different perspective on things than the particular Roman Catholic response?"

I think those parents in Barry's Bay have seen no loss in not having a separate high school. The alternative, Mr. Allen and committee members, would have been for that school to get up to 765 students at the same time Champlain in Pembroke would have 1,600 or 1,700. The religious background of the students would be Polish Roman Catholic and Irish Roman Catholic, and there is a difference. Fifty years ago the two

would never marry, even though they were both Catholics, except on very rare occasions.

At one end of the 1,000-mile area you would have Lutherans and the Evangelical, the United Brethren and that was the last EUB conference that joined the United Church of Canada in 1967. They are still basically a fundamentalist group.

Those people are all in the same school and everything seems to go reasonably well. If it were a separate school, what would the province have wanted the fundamentalist Protestant and the Lutheran children to do? Going to a different county to go to school would be the solution.

In Ontario I think there is a value in state-funded schools having multicultural, multi-religious interplay. I liked Fr. Fitzpatrick because if he wants that total Catholic presence for his students, I like the way he does it; it is privately funded by the parents and by a group. That is not typical of a charity.

I am sorry to be so long-winded.

Mr. Allen: Thank you for your response. I will get those articles off to you post-haste.

Mr. Chairman: Make sure we have your address down correctly and the postal code, of course.

If there are no other questions, I would like to thank you, Mr. Smith, for coming down today. We will ask Sean what his educational motivations were when we next see the minister.

Mr. Smith: I trust he will get a copy of this somehow or other.

Mr. Chairman: I have little doubt that one will be on his desk in short order.

The committee adjourned at 5:18 p.m.

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- O'Connor, M., Teacher; President, Ontario English Catholic Teachers Association, Durham Unit
- Vanleeuwen, H., Trustee

From the Metro Toronto Secondary Teachers' Organization:

- Barkley, L., President, OSSTF District 13, North York
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No. S-52

Hansard

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Legislative Assembly of Ontario

Standing Committee on Social Development

Education Amendment Act

First Session, 33rd Parliament

Thursday, September 26, 1985

Morning Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 26, 1985

The committee met at 10:16 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order.

Thank you, Mr. Gillies, for coming in. I do want a message to be sent to each of the caucuses, though. It has been my intention from the beginning that we will start promptly in this committee because we have such a large number of groups wanting to come forward. I ask each caucus to make sure that at the beginning hour we have at least one person here so I can recognize a quorum.

Even though you are not a member of the committee, and I appreciate your coming in so I can get this started, perhaps you can convey the message, or I will certainly do so, to your Tory colleagues, because this is the second time in a couple of days that we have had this delay, and it is rude to our guests.

Mr. Gillies: I certainly agree, Mr. Chairman, and I will pass that along.

Mr. Chairman: I had an announcement to make, but because we are so late, instead I will move on to our first delegation. Mrs. Wilkinson, would you like to come forward? The exhibits are 111 and 111A.

KATHY WILKINSON

Mrs. Wilkinson: I will try to be brief because I know people are just waking up today. I tried to dress myself up as they would when they go to school, especially in the Catholic schools, but they still have not accepted me yet.

I am speaking on behalf of my husband, who cannot be here—he is away—and as a parent. I want to address you, Mr. Chairman, Ms. Mellor, the clerk of the committee, and all the MPPs and the public who are here right now, ladies and gentlemen.

My most recent letter, today's letter, is in front of you; I do not know if you got a copy, but I attached to Ms. Mellor's, a copy of my last letter. Also, a couple of other parents have given me letters to bring. I will read what I have, and then if you want to ask questions, that will be fine.

"We are writing in response to Bill 30, An Act to amend the Education Act, and the most recent legislation on the funding of the Catholic schools. We are greatly disturbed about this matter, since it involves the future education of our first child." We are going to have other children as well.

"It is apparent that the ministry is responding to Bill 30 favourably because of the short-term future financial benefits; that is, the money it can save by adopting such a bill. However, in reality, the funding of the Catholic schools will only result in tremendous costs, especially to we, the taxpayers, to whom the ministry is accountable. Furthermore, such a move would create enormous duplication, resulting in the development of one school system (Catholic) at the cost of another until both are equal; that is, until they would both be publicly funded school systems"—if that is the goal of the ministry.

"We are very distressed by this as two publicly funded systems would create a tremendous drain on our tax dollars and would probably result in a poorer education for both systems.

"Why should the public and the ministry encourage and fund a particular school system which is geared only to a particular section of the population when the public school system serves and accepts every student regardless of his or her religion? Furthermore, our public schools are presently offering the most developed, advanced, numerous and developing programs of any board." I am speaking also because I have taught in the public school system in Toronto for five years as well. "If this were attempted in the Catholic system, it would take years and enormous funding.

"Bill 30, as it now stands, is a divisive and discriminatory piece of legislation. It discriminates against public school taxpayers, public school parents, public school students, public school teachers and Canadians in general. Please, on behalf of our children, we urge the ministry to declare it unacceptable until it is amended, so as to show great sensitivity to the particular groups I listed above, so that it merits to be publicly funded by all—that is, all peoples of Ontario—and so that the public has total access to the Catholic school system.

"We urge our government and our political parties to reconsider Bill 30 and its far-reaching negative effects. We will not support a government that is not sensitive to us, the public. Thank you for your interest."

I want to point out that on the second page of my last letter of July 30 I gave the reasons I found Bill 30 to be discriminatory against particular groups: students, teachers, taxpayers and parents. I want to go over this quickly. I know you are aware of it, but I would like other people to hear it again.

"Bill 30 discriminates against public school students, as the Roman Catholic separate school promotes and ensures the Roman Catholic religion. As such, it does not adequately exempt non-Catholic students from religious education. In this day and age, how can the ministry justify the forcing of Roman Catholic doctrines on to non-Catholics, such as Jews, Hindus, Christians, Protestants, etc., and the multireligious, multi-cultural groups in Ontario, for the sake of cutting back its spending?"

On the second point in regard to Bill 30 and public school teachers, I wrote:

"How can we ensure that the public school and the public school teachers will be protected? Programs by specialized teachers from the public school may not fit into the Catholic school curriculum. Worst of all, the Roman Catholic board may discriminate against them for not being Roman Catholic. It may consider hiring Roman Catholic teachers as a priority, and it could justify its hiring practices by including even a very small number of public school teachers. Thus, within five to 10 years there would be a very high number of unemployed public school teachers, and this is unfair."

The third group it discriminates against is the taxpayers, and my husband and me, who are parents:

"Bill 30 discriminates against public school parents and taxpayers. Our numerous multireligious ethnic groups will have no options open to them. They will either have to send their children to inadequately funded public schools and/or pay higher taxes and send their children to the RC religious institution of the province. Furthermore, instead of promoting the best interests of public education in Ontario, Bill 30 would be dividing it. Individual groups may be forced to send their children to private schools and may even refuse to pay their public and separate school taxes."

If politics and religion do not mix, then education and religion should not mix either, especially in this day and age.

The next letter I have included is from a parent in my community, Mrs. Barb Mullin, and I would like to read her letter to you. I did not give copies to everybody, but I would like to read it because she is quite concerned about the education system. She writes:

"I want to formally voice my disapproval of the government funding of Catholic schools. I am currently a public school system supporter with a daughter in the system. I object to the obvious increase in taxation needed to cover this venture. I also want to know how the Ontario government can support one private segment of the educational system and neglect the others. The Charter of Rights, which was the pride of the Liberal Party, is not compatible with the present decision to support the Catholic schools and not the Christian, Hebrew, etc." She means by that other private schools.

"Obviously, the Premier wants to know the popular view and please the people, and I, for one of many, see this as very unpopular, too expensive and, most importantly, a violation of the justice our charter boasts. I will not support a government which advocates this.

"Sincerely, Mrs. B. Mullin."

She is from Brampton.

I have included another letter here to Ms. Mellor from Brampton, from a woman and her husband.

Mr. Chairman: Everybody has these letters.

Mrs. Wilkinson: You do? Okay. They are neighbours on our street, and this is what they write:

"We are writing out of concern for the future of our two children's public education. Bill 30 and the Catholic school funding issue are the major causes of these concerns.

"It seems that the separate school issue is indeed separating"—she spells it out and puts spaces in between the letters—"and dividing our province and country. Furthermore, how can the ministry justify the very high cost of funding two educational systems in the eyes of the taxpayers? Why not promote and preserve the public school system, which has already come far beyond the separate school system in terms of programs, facilities and numbers? In addition, it seems that funding a religious institution in this day and age is a move backwards in light of all of the religious and ethnic composition of our country.

"However, if Bill 30 is to be passed, it should be worked through very carefully and in detail so as to protect the rights of all: taxpayers, parents, students and teachers." Of course, they emphasize the students because they are the ones

ultimately affected. "Students should not be forced to learn the Catholic doctrines if their parents do not wish it.

"In short, Bill 30 is not acceptable as it now stands. Thank you for your interest."

Those are the letters I have received. I have also got in touch with a couple of principals in the Peel Board of Education and Mr. Fraser, who is the director. I have spoken to some principals as well and they are very supportive; there is a principal from Goldcrest. I will be assisting with the home and school and doing volunteer work in that board as I am a parent staying home right now.

As I said, my husband and I are very disturbed because we believe in the public school education and we are trying our very best right now to promote our public school education. We feel it is a good system and we do not want to see it going down at the cost of funding the Catholic school system.

If there are any questions, I can answer your questions. I know my letters are not the clearest, but we have done our best.

Mr. Chairman: They are clear enough. I think the message comes through very strongly. How old is your child?

Mrs. Wilkinson: He is going on 10 months. But it is not going to be long before he is in school, and we are very concerned about his future education.

Mr. Chairman: It is not your intention ever to send him to a separate elementary school, I presume.

Mrs. Wilkinson: Not under the circumstances. With Bill 30 the way it is, never.

Mr. Chairman: Bill 30 does not apply to the elementary level. There is a separate elementary system.

Mrs. Wilkinson: I realize that, but if the Catholic schools end up sort of being the be-all and end-all schools to send your kids to, I would rather send mine to a private school. That is my feeling right now.

Mr. Chairman: You would normally be sending your child to a public elementary school in the public system?

Mrs. Wilkinson: Yes, by all means. I would totally support it, and I will do everything I can to send them there. That would be my first priority.

Mr. Chairman: How do you see Bill 30 stopping you doing that?

Mrs. Wilkinson: I am looking at the long-term effects. If we fund the Catholic school

system, which will be publicly funded, I have trouble right now, as I mentioned, with the religious aspect. I do not feel it is a school's responsibility to teach that; it is for the parents and the church community.

If the money is taken away—where is that money coming from, first of all, for the funding? I think the ministry right now is perhaps trying to cover up some funds that it does not have right now, in the short term, by funding the Catholics schools. In turn, taxpayers who are paying into the Catholic school fund may end up in the long term paying less to send their kids there and taking away from the public school system; then the parents in the public school system will be the have-nots. The public school system will go down, and the Catholic system will go up.

I see the Catholic school system perhaps being raised to the same standard as the public school system, but I still think it is going to be at the loss of the public school system, because that money has to come from somewhere.

I do not want to have to send my kid to a school system that is going downhill. I want to see that promoted, and I am going to do everything I can to do that, my husband and I both.

Mr. Chairman: You know that Bill 30 states that it is its intention to support the public school system as well.

Mrs. Wilkinson: Yes, but I find it difficult the way it is written right now. I do not see how it is preserving or protecting the public school system. If it is supporting and promoting the Catholic school system to develop in high school, I have very much difficulty with the religious aspect.

I know there are only a couple of means by which a student can be exempted from the Catholic teachings right now. I do not think that is the basis for funding. If they are going to be funded publicly, then they should serve the public. I am the public, and so is my husband and my family.

10:30 a.m.

Mr. Offer: I would like to thank you, Mrs. Wilkinson. I appreciate your concern with respect to the point that we should never forget the protection of the public school system and not do anything that would be detrimental to it. I can assure you this committee is terribly concerned with preserving the public education system and providing the roads for increasing the excellence it now has.

I would like to make a comment and then ask a more general question.

In your letter of September 26, you talked about the duplication. I would like to ask you what you feel will be the duplication costs from Bill 30?

Mrs. Wilkinson: There is already duplication. If you continue the Catholic schools up to high school, there will be even more duplication. You will have two publicly funded institutions; how can you help but have duplication? The taxpayers right now can pay into either the Catholic system or the public system, which I do not agree with. We should have either all private schools, which I do not wish to see at all, or a very strong sense and promotion of the public schools.

Mr. Offer: You bring out a very important point with respect to the extension of funding. Every member has questioned the different separate school boards at least once, and probably many more times, with respect to what the boards wish to provide and how they view their ability to provide. We have heard many responses with respect to the sharing of programs and facilities.

There have been strong statements from the ministry that the separate schools will not be building the shops, the technical facilities and what not, but are looking to sharing these facilities as much as possible with adjoining public schools which now have these. With respect to your criticism, the sharing may mitigate against the duplication of costs to a large degree.

Mrs. Wilkinson: Okay. I agree with you. That can be done, but there is a lot of paperwork involved, and an awful lot of communication will be necessary. If the Catholic school system is eventually going to try to bring its standards up to those of the public school system, that will take a long time. It is not just a matter of sharing facilities; it is also a matter of paperwork, administration and all these things, which I think will cost millions over the years. That is the area I am concerned about.

What are you going to do with the teachers who are highly trained technically in high schools right now? Where are they going to fit into this situation? There are people in shops who are highly skilled who will not fit into the Catholic school system—not now; it will take years before they can fit them in.

The administration, paperwork and those sorts of things cost taxpayers a lot of money, and I can see it taking its toll. My main concern, and my husband's as well, is that we are against the idea of having a religious institution funded publicly.

It is supposed to serve the public. Toronto is mixed with multi-ethnic, multireligious groups, and it would be very offensive if they had to or chose to send their kids to a Catholic school and the children were taught a religion the parents had no inclination to.

Mr. Offer: With respect to the last point, as you know, there is funding now to grade 10.

Mrs. Wilkinson: That is in the schools now.

Mr. Offer: Yes. Are you aware of that?

Mrs. Wilkinson: Yes. I was aware there was funding to grade 9. That is another big joke. If these talks are supposed to be serious, why is that funding going ahead? I do not understand.

Mr. Chairman: Funding up to grades 9 and 10 for the separate system, as Mr. Offer said, has been there for 15, 20 years, something like that.

Mr. Allen: It has been 86 years.

Mr. Chairman: It depends on how you look it at. It has been there for a long time.

Mrs. Wilkinson: Okay. It has been there up to grade 10.

Mr. Chairman: Mr. Offer is asking if you are opposed to that.

Mrs. Wilkinson: I am opposed to the idea of two school systems and taxpayers paying for the two. I totally disagree with that idea. They have gone ahead this fall and continued funding to grade 11, I assume, in many schools. I have trouble with that aspect, and so have these parents whose letters I have brought.

If these talks are supposed to be taken seriously, why has that happened? They could have waited until January. I have a lot of trouble with that. I do not even know if my coming here is worth while. I came because I am a parent and very concerned about my children's education. That is not respecting the public's views. It is a real lack of respect for the different religious groups in our country. If we are allowing all these immigrants in, we have to learn to live with them. I do not think promoting a particular religious group is going to teach that tolerance and acceptance. I have a hard time seeing this sort of situation.

Mr. Offer: As a final comment, are you aware of the fact that these separate schools have been funded for many years?

Mrs. Wilkinson: That is fine, but—

Mr. Offer: Are you against not only the extension of the funding but also in favour of taking away what is already in existence?

Mrs. Wilkinson: If the Catholic parents want funding, they should pay for their schools as

private schools. There should be just one school system. If the Catholics want their school system, then let them have a private school system. Why should the public or the government be involved in it? It is unfair to other religious groups. I would not want to see other religious groups involved.

In the United States, there are a lot of private schools, but I do not know if that is the best route to go. I do not want to see my public school system, which I am very proud of now, going down as a result of funding that will go to the Catholic schools. That is my main concern. That is all I have to say.

Mr. Chairman: You have made your point very clearly. You are not alone. We have had many other deputations come before us. Although we do not affect the passage of the money this fall—that is something done by cabinet—this committee has the power to make sure the bill reflects the concerns coming before us as much as we can, given they are coming from so many different sides.

Mrs. Wilkinson: Even that is a great step, to see that sort of thing. I have problems with the fact that the funding has already been extended, maybe not the money in dollars, but once something has gone ahead like that, it is usually not reversed.

Mr. Chairman: The courts can change it, as we have seen in Manitoba. They said that all the laws passed during the last 100 years or so had been enacted improperly and would have to be changed.

Mrs. Wilkinson: You look back at the British North America Act, where the Catholics had their rights and so on, but this is 1985. Public funding of a religious institution in this day and age is a real lack of respect for the public and a disservice.

10:40 p.m.

Mr. Chairman: We respect your right to say so, as well as that of others who are coming forward with the opposite view. Thank you for expressing your opinion this morning.

Mrs. Wilkinson: If it goes through, that is fine, I accept it. I just want to make sure the public is respected, there is complete access for the public to the Catholic school system and respect with regard to religion in all the other programs. I want to see accessibility to all, including the teachers.

Mr. Chairman: You made your points well.

Mrs. Wilkinson: Okay. Thank you very much.

Mr. Chairman: The second delegation this morning is from the Hamilton and District Ecumenical Coalition for Public Education, represented by Reverend Russell, not Mr. Russell as we have in our agenda, and colleagues. It is item 714.

I have the names of your colleagues but I do not know where they are sitting, and for purposes of Hansard and also the cable viewers, it would be good if you could introduce them first and then take us through the presentation.

HAMILTON AND DISTRICT ECUMENICAL COALITION FOR PUBLIC EDUCATION

Mr. Russell: We appreciate very much this opportunity to appear before the committee this morning. I would like to take a moment to introduce my colleagues.

On my right is the Reverend Eugene Thamer, who is the moderator of the Niagara-Hamilton Association of Baptist Churches. On my immediate left is the Reverend Dr. John Johnson, who is the senior minister of MacNab Street Presbyterian Church in Hamilton. On my far left is Canon Ray Farrell, representing Bishop John Bothwell, who cannot be with us this morning. Canon Farrell is the program officer for the Niagara Diocese of the Anglican Church of Canada.

I am the Reverend Mervyn Russell and I am the minister in the Binbrook-Blackheath pastoral charge of the United Church of Canada. I am also the chairperson of the mission action force of the Hamilton Conference of the United Church of Canada.

I make that clear to indicate all of us here this morning are official representatives of our respective church traditions. We are not just here as persons who happen to have individual interests in this issue. All we shall be saying this morning is with the stamp of approval of those various religious groups we represent.

What I propose to do is to read our brief through. I will do that myself, and then you may have questions or comments. I would like to feel the other members of the delegation could respond to those as they wish.

Our group is Hamilton based and composed of officially authorized representatives of the Anglican, Baptist, Presbyterian and United traditions of the Christian faith. We are affiliated with the Ontario Coalition for Public Education. Since both the Hamilton and Wentworth public school boards have adopted resolutions supporting the stand taken by the Coalition for Public Education, and the Hamilton Board of Education, as of August 28, 1985, has voted opposing Bill 30, we

have been and continue to be in a close working relationship with them.

Since both the school boards intend to make presentations to the committee, we shall leave them to talk to you about the effects of this policy upon funds, enrolment, etc. We shall confine our remarks to issues having to do with the basic processes and institutions of our province; namely, the parliamentary process and the Constitution.

It is the conviction of our coalition that the extension of full public funding for Roman Catholic high schools should go ahead only after the matter has completed the parliamentary process. This means funding should not have been commenced by cabinet order or ministry regulation, as the government has now done.

This is the major change in education and social policy in recent years. To uphold the dignity of both education and democracy, such a major change in public policy should be implemented only after the completion of a thorough and responsible parliamentary process.

This parliamentary process should not be simply a charade or an exercise in tokenism. We are pleased the government has consented to a travelling parliamentary committee before which the public may make presentations. Such a committee should be given sufficient time to hear from all interested groups and persons, since the future of all residents of this province, and particularly all its children, will be affected by these measures. We therefore consider that holding these hearings over six weeks, mainly in the summer, is not much better than tokenism. We also consider it is very regrettable that the second most populated municipality in the province, Hamilton-Wentworth, has not had the committee meet within its area.

We hope the committee will pay attention to what it hears, since this is really the first time that many of the major participants in public education have had the opportunity of addressing both the policymakers and the policy itself, rather than simply responding to the consequences of its implementation. Especially do we hope this attention will be given to the public boards of education, whose status and significance has been sorely disregarded and disrespectfully undermined in this matter.

We hope you will weigh very carefully as a committee whether this policy has the support, not only of the general public but also of those whose responsibility it will be to enable this policy to work in an area of public life that is absolutely essential for the continual resourceful-

ness of this province. This policy certainly does not have the support of the public school board trustees in Hamilton-Wentworth.

Constitutional referral: Second, we support the Ontario Coalition for Public Education's contention that implementation of this policy should be frozen until such time as a decision has been given on its constitutionality. This measure touches upon central constitutional issues. The most important, as far as we are concerned, is the relation of church and state. A number of important unanswered questions arise on this issue.

For example, how is the relationship of the province to the Roman Catholic Church to be understood on the basis of the extension of full public funding to Roman Catholic secondary schools but to no other religious or nonreligious bodies? Does this not mean Ontario places the Roman Catholic Church in an especially enhanced role in regard to the propagation of its doctrine, practices and organization in secondary schools? Can public funds, which mean more than publicly collected funds, be used in 1985 for such a preferential purpose in secondary education?

Is it possible for the Roman Catholic Church, as such, to be distinguished from the Roman Catholic separate school boards in regard to this relationship to the province? If not, would there not be an additionally special and therefore privileged relationship and partnership between the Roman Catholic Church and the province, carrying with it enhanced privileges and power for the Roman Catholic Church not enjoyed or granted to other religious institutions, traditions or organizations?

How would the influence of this special, full and institutionalized partnership in one area of public importance be contained, so as not to provide the Roman Catholic Church with greater access to influence in other areas of public policy, such as health, with all its ramifications for family planning and provisions for therapeutic abortions?

In what ways, if it were constitutionally necessary, would it be possible to change the organization of Roman Catholic high schools to provide, for example, open accessibility for students and staff? In what ways would the teaching of certain doctrines and behaviours need to be curtailed for it to be appropriate under the law for these schools to receive public funding?

10:50 a.m.

How massive will be the transfer of wealth from the public education system to the Roman

Catholic separate school system in terms of real property? What limitations will there be upon these properties regarding their present or future use by the Roman Catholic Church?

We are not blind, for example, to the Roman Catholic-state partnership which facilitates the building of elementary schools and churches adjacent to one another, thereby providing Roman Catholic congregations with parish rooms and parking lots. Will the same developments be possible with secondary school buildings? Could the site of a disused Roman Catholic school, transferred from the public school system and paid for originally with public funds, be used to build a church or other non-school building?

If Roman Catholicism can be educationally subsidized, is it possible also for religious instruction to be provided in the public schools in a manner which recognizes the plurality of our society?

Admittedly, these are not nice questions; they are difficult and painful for us to raise. They are disturbing and perhaps dangerous, because some uninformed persons might introduce accusations or interpretations of religious bigotry and prejudice. Flatly repudiating such innuendo and trusting our record of friendship and ecumenical co-operation, we believe a certain amount of risk-taking is necessary because in such an important and historical a matter, only what is true and just will suffice.

It is the height of folly to issue orders in cabinet or regulations in the Ministry of Education for this measure to go ahead until questions such as these have been given a definite constitutional answer. If the funding is unconstitutional—and on the only other occasion when the issue was dealt with in the courts, it was found to be so—then the educational disturbance would be horrendous and the social turbulence would, we believe, be politically uncontrollable by the government of the day.

I have some final comments. If one asks why this parliamentary and legal haste, the answer usually received is that it was necessary to provide educational stability for the parents and children who had made plans believing that the measure would go ahead. We respectfully remind you that this is a situation of the Legislature's own making. The legislators alone decided on this timetable. In fact, what this procedure has amounted to is holding the children of this province hostage so that this measure would go through.

There is not even short-term stability, let alone long term. The students in many public school

boards who choose to go to certain schools do not know whether these schools will be available next year with changes in enrolment, what courses will be available to them, and who their teachers will be. Francophone pupils are in a position of greater insecurity, as are exceptional children and, in particular, the handicapped. This is a disgraceful state of affairs.

The real answer as to why this measure is being propelled at such haste is more disturbing. The pattern displayed in the development of the implementation of this policy is one much more of fear than of principle. It was introduced without consultation. It was not willingly addressed in the election campaign. It is now being rushed through as fast as is decently possible. The Premier (Mr. Peterson) does not want the matter publicly discussed in the leadership campaign of any other party. The underlying fear seems to be that unless you support this policy, or unless you restrain from critical consideration of it, you will not have the voting power to form a government in this province.

Fear is the shadow cast by the presence of a greater and more unspeakable horror. We are afraid of the horrid and lurking presence of bigotry. To ward off its reappearing, we are trying to find ways of placating our fear.

We are more afraid of that fear because fear tends to corrupt values and integrity. This can be seen in the token parliamentary process we are involved in and in the government's willingness to even consider invoking, if necessary, a notwithstanding exemption to our commitments and obligations under the Constitution.

But we do not need to be afraid because surely we can be mature enough politically and religiously to trust ourselves, our institutions of government and of law, with the handling of these sensitive matters and formulate socially acceptable and fair solutions. This is the best way to finally banish not only the shadow of fear, but the hidden horror of bigotry as well. The Legislature has half adopted this approach, and we would encourage it to adopt it completely.

It is, therefore, for these reasons we urge that the implementation of full public funding to the Roman Catholic secondary schools be frozen until due legislative process is completed and until a definitive constitutional decision has been given.

Mr. Chairman: Thank you, Reverend Russell. I have a couple of things to clarify before we take questions. One, the committee has never been restricted to six weeks. This is our 11th or 12th week—one loses track—and although we will

be taking one week off before the House comes back, we will then be sitting as a committee hearing further briefs through October and as long as it takes us to hear those people who are still on our waiting list.

Mr. Russell: Is that actual weeks of sitting or the duration of time during which you have been sitting?

Mr. Chairman: We have been sitting since mid-July steadily, with some of us taking breaks for hospital visits and things like that, but we have been sitting straight through and for much longer hours than most committees have.

As to your comments about the quietness of the process and the concern about fear, we made the unusual request of having this committee televised so viewers could hear people's problems with the legislation. If we were desirous of keeping things as quiet as possible, we would not have bothered to make sure that several million people would have access to the daily televising of these processes.

From our committee's perspective and our role in terms of this legislation, we have tried to make this as public an event as we possibly can. Given the fact that we have had more than 700 deputations to this point and they are still coming in—we are breaking all records in that area—I hope we have made up for some of the process flaws many people have noted beforehand in terms of giving the public its due shot at the legislation.

We do not have control of things such as cabinet orders.

Mr. Russell: Our concern here is that it has been public discussion after the event, that there were not the usual public platforms provided where this very crucial issue could be discussed. We appreciate the fact that the committee has been meeting continuously and has made its meetings accessible to the public, but we still maintain that there was a deficiency. It is not being handled in the normal way that a major change in social policy is handled.

Mr. Chairman: A number of us share your concern about process up to this point.

Mr. Allen: I welcome you, gentlemen. At least some of you have been in my office, and we have discussed this question on another occasion. I am happy to have an opportunity to renew that discussion, and I welcome you back if you want to pursue it further in that venue. On the whole, your brief is strong in tone and restrained in tenor, and I appreciate that.

11 a.m.

I would like to put on the record that I did try to get this committee to sit not only in Hamilton, but also in Oshawa, the other corner of the Golden Horseshoe. There were some logistical considerations, and the committee might say a certain internal wisdom, that kept it here in Toronto. We do not need to go into that. It certainly would have extended the reach of the committee a bit to have sat at either corner of the Golden Horseshoe, to have reached into the hinterland of each of those points as well.

One question I would like to ask you, because it comes up frequently in other briefs—there appears to be an assumption about the constitutionality of this issue. When you say, "If the funding is unconstitutional, and on the only other occasion when the issue was dealt with in the courts, it was found to be so," what case are you referring to?

Mr. Russell: We are referring to the Tiny township case.

Mr. Allen: My understanding from a reading of the records of the Tiny township case is that it did not state the unconstitutionality of extending funding to Roman Catholic secondary schools. What it dealt with was the regulatory power of the government and whether the government could contract or expand its responsibility with respect to the provision of separate secondary education.

The argument was that it was not obligatory upon the province to do so, but that it was not opposed to the Constitution and that it was within the regulatory power of the province to contract or expand its separate program in the public system. If that is the only case in question, then the legal precedents and the constitutional precedents and judgements do not favour the argument, which is the assumption of so many who come before the committee, that the matter is understood to be unconstitutional.

Mr. Russell: I am not a lawyer and I do not think you are either, but I quote from the opinion of Mr. Robinette, who is a lawyer:

"Their action failed basically on the ground that in 1867 the Roman Catholic separate schools did not enjoy the right of privilege, having their own taxation system with respect to continuation schools, collegiate institutes or high schools."

We could get into an exchange of authorities, but that is Mr. Robinette's opinion of that matter and we and the other members of the coalition have gone very much by his assessment of what was involved in that case.

Mr. Allen: Why have you not asked further than Mr. Robinette? We all know one lawyer does not make a judicial decision. Would it not have been useful for you at least to have canvassed the opinion of the respected lawyer whom the separate board in Toronto has retained, to check out the constitutional arguments and see whether there were not other ways of looking at the same issue? Mr. Robinette's judgement talks about what that court hearing failed to do in his opinion, but does not state what was decided. What the court decided and what stands on the record is what I stated earlier.

Would it not be useful also to look at the submissions of the Attorney General (Mr. Scott) before the court in order to look at the documentary record? That record states very clearly that the schools prior to 1967 not only had equivalent funding with common schools but also had the right to offer all the same courses and that the syllabuses and the textbooks assigned in the system included subjects such as Latin, Greek, natural philosophy and courses to prepare students up to the age of 21 to enter universities and colleges.

Mr. Chairman: I am not sure it is appropriate for members of the Legislature to suggest whom people should consult.

Dr. Johnson: I agree with you wholeheartedly. To suggest that we should be consulting the Roman Catholics' legal people is rather presumptuous. We belong to a coalition. The members of the coalition have hired a lawyer, probably in my mind the most venerated legal opinion in this province, Robinette. He has come forth with an opinion and we have quoted him.

This is not the basis of our presentation. This is giving content and volume to the position we hold. If some member, namely Dr. Allen, does not agree with us, this is a matter of law which I do not think is what we are trying to present this morning.

Mr. Allen: I am only requesting that learned gentlemen should come with as learned a position as they can possibly muster.

Mr. Chairman: That is what lawyers use to support their cases and not to work against them. I suggest that directing people to other counsel is not particularly helpful.

Mr. Russell: This is obviously an issue that will have to be settled in the court. I do not think we presume to be able to give any finite opinion on that. As Dr. Johnson has said, we have quoted the opinion of the lawyer who is working on our behalf.

Mr. Allen: With regard to the question of process, when one argues that the issue came out of the blue in June 1984, the assumption appears to be that not only a new government position was being adopted but that somehow a matter that had not been before the province was suddenly thrust before it.

Is it not true that this question has been before the province many times in recent history as well as in more distant reaches of history? Can you suggest any new arguments that are being argued in the 1980s on this question that were not presented in the 1960s and 1970s when the issue was under substantial debate?

Mr. Russell: I would have to say that when any debate is renewed, the context is changed from what it was before. Presumably that is one of the reasons it is possible to raise the matter again. It is felt that the context is sufficiently altered that it might be possible to look at the thing another time. In any case the context has probably changed.

What we are alluding to here is the way the matter was precipitated in the Legislature by the former Premier, as far as we know without any careful consultation with colleagues or with caucus. As a church representative, I am very upset that this matter was not raised in such a fashion that there was a period of time when we could consult our colleagues in the Roman Catholic church and come to some better mutual understanding. We were put in a position of being cornered and having to react. That was a very unhelpful way of going about the matter.

In regard to what is different in the present context, the introduction of the Charter of Rights makes a very significant difference to the legal context in which this matter is being raised. Any legal decision that has been made previously will have to be tested in the light of what that charter says.

Dr. Johnson: I wish to add, in answer to Mr. Allen's question, that there has been a great deal of consideration in the past. I have in my hand a brief presented to the Prime Minister and members of the Legislative Assembly of Ontario by the Presbyterian church in Canada in 1962.

This was a process in which we had time and the whole country had time, and the whole country made a very clear decision that extension was not to take place. Suddenly this time, out of the blue, from one man's lips, without consultation, there is going to be a change. This is what our brief is saying. The procedure this time is wrong because, although conditions have changed, the procedure should not change.

11:10 a.m.

Mr. Allen: Is it not also true that at an intervening point the Ecumenical Study Commission on Public Education delivered itself in a fairly reflective way on the whole question, speaking for a constellation of Protestant denominations and the Catholic church and supporting the proposal? Many of us thought in 1970 that the religious community in a formal sense in Ontario had indeed spoken to this issue and was considerably in support of it.

Mr. Russell: Mr. Allen, I agree a document was put out by that body. When I received a copy I was very surprised to see certain wording at the beginning of it and I wrote to them about it. I do not have a copy of the document to hand; I wish I could quote from it.

If I remember the development correctly, shortly afterwards there was a major falling out between the other members on that commission and the Roman Catholic representative. It seemed to me the commission almost retracted the statements that had concerned me when I read the document. Certainly, there has been a major upheaval in that commission.

Mr. Offer: Thank you for the brief. I have a question with respect to your proposal or comment on page 5. Approximately midway down you talk about "parliamentary and legal haste," and the necessity for providing "educational stability for the parents and children who have made plans on the basis that the measure would go ahead." Then you say it "is a situation of the Legislature's own making." I would like you to expand on that. I take it that sentence talks about the pronouncements on June 12, 1984, by then Premier Davis.

Mr. Russell: Yes.

Mr. Offer: Taking that pronouncement into account, the manner in which it was made and the support it received from all parties, do you believe there is a valid argument there was the necessity of providing for some educational stability for the parents and children who made plans on the basis of that pronouncement?

Mr. Russell: What I feel has happened here is that in a way the children have been made hostages on this issue. Obviously, we are all concerned about our children getting educational stability. I have two children in the public school system at present, one in high school and one in elementary school. We are concerned about them getting stability. To say there will be a threat to the stability unless this goes through is a great inducement to the public to say, "Then let us put

it through." I think that is putting it on the backs of the children, where it should not be. This is an adult matter we are debating.

In Mr. Dean's constituency, and in the board area in which I live, there is by no means stability yet in regard to what is going to happen to secondary education in the eastern part of Stoney Creek. We went all through the summer not knowing whether my son was going to return to the school in which he had been enrolled or whether Orchard Park Secondary School was going to be transferred to some other body, the separate schools. They still do not know.

I have members of my congregation who belong to the francophone community, French-speaking Protestants, who are extremely concerned about what is going to happen to Georges P. Vanier Ecole Sécondaire in Hamilton. Will there be a fragmentation of the francophone community, such that there cannot be a complete francophone education for those children?

I could speak again of the comments from the director of the education program for the handicapped at Chedoke-McMaster Hospital, who is extremely worried about what is going to happen to the funding for his program, once educational dollars have to be spread out even more than they are now.

Mr. Offer: Thank you. The thrust of your brief is that the bill ought not to be passed until the constitutionality has been determined.

Mr. Russell: That is right.

Mr. Offer: With this committee reporting to the House, that is the timetable. There has been a special grant made for those particular parents and children who made plans based on the September 12, 1984, statement. In clause 14 you talk about the "parents and children who have made plans on the basis that the measure would go ahead." Is there validity to those particular plans? Did those parents and children, based on the statement, have the right to make educational plans for September 1985?

Mr. Russell: I am not going to argue with the parents. Obviously, they are going to do what they think is in the best interests of their children. My argument is with the legislators.

Mr. Thamer: On the basis of what was told to them by the Legislature, they had the right. Our point is the Legislature told them prematurely, before the process had gone through. You started something that even now is only halfway there. Sure, those parents are caught, as are the other parents. There are two sets of parents who do not know where the thing is going to end.

Mr. Offer: I understand what you are saying.

Mr. Thamer: Our point in clause 14 is that it is the legislators' actions that got this whole confusion going.

Mr. Offer: On that statement of June 12, 1984, you are stating—

Mr. Thamer: That started it, and the process of not discussing it and assuming that it would be accepted by all three parties has kept the ball rolling.

Mr. Offer: Would you like just to hang out those children?

Mr. Thamer: What children?

Mr. Offer: Those children who had made the plans.

Mr. Thamer: They would not have made any plans if the legislators had not said anything until they had gone through their process.

Mr. Offer: Given the fact that the statement had been made, which is a fair assumption—

Mr. Chairman: If I might intervene: instead of an organized dialogue we are running into a very circular kind of argument here. I am not sure where the line of questioning is going. The answers have been clearly laid out already in your presentation, but if you would like to try to add something further, go ahead, Mr. Russell.

Mr. Russell: No, we have made our point on that.

Mr. Chairman: There is an argument over the appropriate process, and we have heard from both sides.

Are there other members who wish to participate? On behalf of the committee, I would like to thank you for coming. You certainly made your final comment at the end. It is very important that you have come and expressed your concerns to us.

Distinctions need to be made between the government's decision, and two past governments' decisions, and the Legislature's role. The legislators on this committee are instructed by the Legislature and that is why we are conducting these hearings. We have not been involved in the executive decisions in terms of the funding this year or the releasing of dollars. Committee members who try to respond are responding for the executive branch without any particular authority to do so.

11:20 a.m.

In our case, you made the analogy that we might be closing the barn door after all the stock has gone. This committee has the right not only to close the barn door but to order the animals

recaptured and returned in the order we would like them to be put back in, although it would be an after-the-fact kind of event. We will be exercising that authority only to make sure that a number of things not in Bill 30 at the moment, or inappropriately in Bill 30, are repaired, even if it is after the fact of a partial extension but well before the overall effects are felt in Ontario. We have that kind of power and, of course, the courts have the right to burn the whole barn down.

Would you like to make a comment?

Mr. Thamer: Yes. I would like to focus the attention of the committee on paragraph 10 on page 4. I find it very interesting that the ramifications of these questions are very seldom discussed. I think the possibilities, the potential transfer of wealth and the use of facilities in future, based on present practices of the Roman Catholic church, certainly puts Protestant churches and any other religious groups at a disadvantage. We do not have that same privilege. I think paragraph 10 needs serious consideration.

Mr. Chairman: If you would like, I could send you the transcripts of all the discussion instigated by Mr. Davis and others on the transfer of buildings. It has been a very large item of concern in this committee.

Mr. Thamer: Thank you very much.

Mr. Chairman: It has been raised by a number of groups coming before us. I am not sure we have come up with the solutions, but I would be very surprised if there are not amendments proposed specifically to do with transfer of equipment and other capital assets.

Mr. Russell: I guess I am disappointed we have not entered into any discussion over what I know is the most sensitive of areas, the relation of church and state in this matter. That is the major concern of our brief, and we have not been questioned on that. We have not heard any comments from the committee. Obviously, we are keeping very tight-lipped on that matter. Unless it is possible to open that area, I would leave this hearing this morning with a considerable amount of disappointment, because it seems to me this is the major constitutional issue which is really involved.

Mr. Chairman: If I might say, I do not direct the questioners, they pose their own questions; but I control the time and we have gone well over the allotment at this point. We will not be able to discuss it this morning, but it is an item which is discussed regularly here. The various viewpoints about what our traditions are with respect to the

separation of church and state come up on a regular basis.

If members do not repeat those with each group it is unfortunate. Within the time frame we have, our attempt is to have you heard more than to have the most comprehensive questioning of each group. We have gone about 10 minutes over the allotted time at this stage and I am afraid I have to cut things off.

Mr. Russell: Okay.

Dr. Johnson: Could I say, Mr. Chairman: I know you have a good name, Johnston; I believe you have an excellent committee, many of whom I know personally. I just hope the decisions that are being made are not political, because this report is not. We are dealing with democratic principles and with the traditions of the public and the whole school system in Ontario. Let us keep that in mind. Three parties support this: is it because of the principle or because of the politics involved?

Mr. Chairman: I would suggest the members of this committee are as principled as the people who come before us. Thank you very much.

Mr. Russell: Thank you.

Mr. Chairman: The next presenters are from the Ontario Secondary School Teachers' Federation, District 33, Nipissing.

Welcome; it is good of you to come down from the North Bay and Nipissing area. We had a fair amount of representation from your area, as you know, when we were in Sudbury. This has been very helpful because the debate there has been lively, and also creative, if I can put it that way. I have two names. I have no idea if they are the right two or not; so I will let you introduce yourselves.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 33, NIPISSING

Mr. Pacey: Good morning. My name is Keith Pacey. I am the president of District 33 of the Ontario Secondary School Teachers' Federation. To my right is Bob Eichenberg, the past president.

As representatives of District 33, we are pleased to have the opportunity to meet with this committee and once again publicly express the concerns and views of the people of Nipissing. However, we would be remiss if we did not make this committee aware of the feeling of scepticism associated with this group. The growing feeling in Nipissing, and after listening to the previous two groups of speakers in other areas also it

seems, is that this government body is simply going through the motions while the Legislature awaits the decision of the courts.

In Nipissing we are very concerned that if our message is not understood and taken seriously by this committee, disaster for the public system in our area will result. Nipissing, for members of this committee—apart from Mr. Bernier—who may not be aware, is the gateway to the north. It is centred in the middle by North Bay and bounded on both sides, 40 miles away by Mattawa and 25 miles to the west by Sturgeon Falls. Secondary education in this area is provided by one separate school and eight public schools made up of four English, three French and one bilingual school.

Nipissing is not a microcosm of the mighty south. Decisions made based on southern Ontario perceptions cannot possibly be unilaterally applied to the north. Conversely, decisions made based upon the unique aspects of northern Ontario cannot be expected to work in the more populated south. Here, we feel, lies the basic problem with Bill 30. It attempts to deal with the north, south, east and west portions of this vast province as if they were all the same.

Even the original plan set forth on June 12, 1984, by then Premier Bill Davis attempts to solve a very complex problem in a very simplistic manner. It is unfortunate that pressures external to education can have such drastic and negative effects on the quality of education now in place in Ontario.

After reading reports of former Premier Davis's address to this committee last week, it has become even more apparent the imposition of the funding issue is not an educational decision but is entirely political. In 1971, after spending many years as the Minister of Education of this province and having a good working knowledge of the Education portfolio, Mr Davis decided not to extend funding to the separate schools of Ontario. Fifteen years later, after 15 years away from direct dealings with education, he reversed his decision, a move which can only be based on political, not educational, arguments. It is a move that ignores the needs of the small schools and communities of northern Ontario.

Mr. Eichenberg: I wish to take some of your time in detailing the effect of the imposition of funding on one of the small communities in Nipissing. Sturgeon Falls is a small town of about 6,200 people. According to the latest census figures, it is 86 per cent Catholic. This small community now has two public secondary schools, Ecole Secondaire Franco-Cité and

Northern Secondary School, neither of which is running anywhere near its capacity.

The reason the community has two secondary schools instead of one is that in 1971 a split was forced in the educational community to accommodate the English-French tensions which were very visible there. This split fractured the community along language lines, and it has not healed in the 14 years since the break. Now, with the funding for separate schools, the community is faced with a situation which only increases the tension and distrust. Religious differences, which until now had been without importance, have become the centre of increasing tension.

The Nipissing District Roman Catholic Secondary School Board has asked in its plan to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario to have both schools because of the high percentage of Roman Catholics in the area. Bill 30 in its present form will allow such a takeover.

The francophone community will probably not be fundamentally upset since, historically, a vast percentage are Roman Catholic, although a large number of the teachers in the French school have indicated they would vigorously fight any move to transfer them. The anglophone community will lose the centre of activity it now has. They will have to search outside the community for a nonsectarian education.

Is it fair that a community be robbed of its public secondary presence? Former Premier Davis stated the public system would continue to be the cornerstone of education, but in Sturgeon Falls it could very well have no structure to support. Let us be frank, the Sturgeon Falls situation is a highly visible one, therefore, it will draw most of the attention. Its very visibility will probably lead to an early solution. We do not seriously believe it was the intention of the framers of this bill to strip any community of its public presence.

11:30 a.m.

The problems we see that are far more important are the subtle things, such as the destruction of affirmative action programs in our area, the ageing of our staff and the depletion of extracurriculars. These will have a very long-term and damaging effect.

Pages 5 and 6 of our brief deal with problems faced by women teachers in Nipissing. I would like to read into the record the second paragraph of page 6. Using moderate projections, which we in District 33 believe to be true, the public system could lose 20 to 30 per cent of its teachers in the

next few years because of the imposition of funding. The 31 male teachers we lose are 13.6 per cent of the total population of male teachers in the public secondary system in Nipissing. The 30 female teachers we lose are fully 41.8 per cent of the entire female teaching population in our district. To put it bluntly, the affirmative action program of the last 10 years will be shown to have been futile if, in one legislative change, more than 40 per cent of the female teachers in Nipissing are drained from the public system.

These figures are not speculative or far-fetched. They tell the story as it is. The bill in its present form cannot help but bring about this scenario, or even worse. Declining enrolment has already brought about a dramatic increase in staff age with the attendant drop in extracurricular activity. As staff ages, the interest in coaching two or three teams a year naturally drops. With extracurriculars, the effects are already being felt as more teams are disappearing.

Bill 30 will change enrolment patterns. No one is arguing that. That means the staff will age very rapidly as young teachers are drained from our system. At this time, the average teacher age in Nipissing is 43 years. If we drop the teachers at the bottom five years, we will jump almost two years higher.

In our brief, we deal with the planning and implementation commission in detail on pages 5 and 6.

Mr. Pacey: Even this story, as outlined by Mr. Eichenberg, does not tell the whole story in Nipissing. If, as has been proposed by the Nipissing District Roman Catholic Separate School Board, the en bloc transfer of the French-language schools becomes a reality, not only will the average age increase even more but the potential loss of up to 30 per cent of our members will be devastating to the public education system in Nipissing.

The en bloc transfers, as described in the August brief submitted by the Nipissing separate board to this committee, will mean—I am quoting from their brief—"a transfer of an existing French-language secondary school, including the facility, students, staff, support staff, non-teaching staff, as well as corresponding central office staff."

It is very Christian of the separate board to be so religiously interested in the wellbeing of our schools, but what if some of our members do not want to go? It is our feeling from talking to many of the members at these schools that between 30 to 40 per cent may seriously resist. What happens then? Can they be legislated to go? The Canadian

Charter of Rights, in our opinion, suggests the answer to this question would be no. The only logical option is that these teachers, employees of the Nipissing Board of Education, would continue to be employed by the public board while enjoying the full benefits of our collective agreement.

What about the effect of this situation on the public system staff members? By the terms of the seniority clauses of our collective agreement, those members who refuse to go to the separate system will move back into the remaining public schools, thus displacing a number of junior teachers who will be declared surplus.

Where will these designated teachers be assigned duties? Some may well be needed in the expanding English separate school in North Bay, but the majority of them will not be needed by the French separate school because they cannot speak the language. The result? Bitter, displaced teachers who have been forced out of their chosen profession, not only for religious reasons but also for linguistic reasons. Yet, continually, I read about many supporters of the imposition of funding continuing to profess that this issue will not divide Ontario.

Here I wish to put in a point which is personal rather than representative of this district. I fit into this section. I am not very far up the seniority list, although I am the president of the district. I have serious concerns that I may lose my job in the public system, a system I think is a terrific system in North Bay and in Nipissing in general. I am very concerned by this.

I am not a Catholic and I am not a bigot, although I continually read in letters to the editor that when I speak out against this issue I am somehow being classed as one. I am very concerned and I must admit that this situation, if it evolves with me, would be hard for me to look at from a very rosy point of view.

Putting on my president's hat and turning directly to the portion of Bill 30 dealing with job protection, it must be emphatically stated that District 33 strongly opposes any attempt to impose time limits that affect the rights of any secondary school teacher.

This section is an excellent start towards identifying and solving the employment problems caused by the imposition of funding. However, this section leaves many unanswered questions. Where will the money come from to support these kept teachers? Will the public taxpayers of Nipissing be expected to pay the shot or will this liability be shared by the taxpayers of both systems? Can these politically

displaced individuals have their contracts maintained but then be laid off? What about the displaced teacher in Sturgeon Falls? Can he have his contract permanently terminated because he refuses to accept employment in Huntsville? It is under the jurisdiction of the separate school board in our area and Huntsville is approximately 100 miles from Sturgeon Falls.

What about the teacher who, because of his own strong religious beliefs and convictions, just cannot teach in the separate system?

All these questions are based on concerns that have been expressed to both Mr. Eichenberg and myself from District 33 members and we believe they require the serious attention of this committee.

Mr. Eichenberg: Is there a solution in Nipissing? Probably the best one would be politically impossible; that is, put the lid back on Pandora's box and allow us to work out our destinies as public and separate systems.

We feel the whole principle of funding is in error and we trust we will be successful in our court challenges. Ex-Premier Davis's defence of his position is, we feel, at best a rather hollow rationalization. If he felt justice had to be served, why did he not follow normal parliamentary channels for so sweeping a change? Did he really believe the delay of one year or more would destroy a system that has lasted for many years?

We were shocked on June 12, and we continue to be shocked by what we feel is a precipitous rush to set this in place, although after 11 weeks of sitting I am sure you do not exactly feel it is precipitous.

We want to make this clear: we do not feel the Catholic system should be deserted or even that it should not receive some form of funding. Education should be nonsectarian, but in Ontario, with the freedoms we have, religious education would be accommodated under the aegis of an umbrella board.

For some reason this idea is anathema to the Nipissing separate school board and its administrators. A centralized administration can oversee diverse autonomous units with increased fiscal responsibility. Redundancies can be held to a minimum. Unit ordering could save money. There is no doubt it is a logical idea, it just is not a very popular one.

We question the reasoning of the Catholic board in Nipissing. In their brief to you they stated that they "absolutely reject" the public board proposal. The concept is a valid one but it would take some co-operation to implement.

Unfortunately, from our point of view, it seems that power is the real reason behind the problems in our district. We believe all educational and religious reasons given to date are in one way or another rationalizations. The public board feels its power eroding and, frankly, it does not like the feeling. The Catholic board feels its day has come and wants as much power as it can get through increased grant structures. The French-language advisory committee is frantically trying to obtain the best deal for the francophone community by playing one side against the other in hopes of concessions.

I do not feel we are unique in Ontario. I am saddened as an educator, but I am angry as a taxpayer.

11:40 a.m.

Mr. Pacey: We have attempted in our written submission and in our oral address today to give you a capsule view of the problems and perceptions faced in Nipissing because of the proposed imposition of separate school funding.

Although former Premier Bill Davis stated the viability of the public system would be maintained, it is our belief that Bill 30 falls far short of meeting this desired goal in northern Ontario. It is, therefore, the opinion of District 33 that the standing committee on social development could best serve the interests of Ontario society as a whole by not reporting Bill 30 to the Legislature.

Mr. Chairman: Thank you both for an animated, articulate, ingenuous presentation. I do not think there is any danger we will be reporting the bill shortly, so you have your will on that for a period of time at any rate.

I would like to make a comment on the question of whether it is useful to come before the committee. It is raised by a lot of groups. I often wonder about that, especially with those who come such a long way to make presentations. I think it is fair to say the committee has learned a lot from these hearings. You would not want us to have made our final determinations just because we have learned a lot at this stage. We would be presuming things before you actually got here and would be starting to make statements about where we are going as a committee. I do not think there is a member of this committee who has not learned a lot about the needs of single-high-school communities and the need to have further protection in that area.

The whole affirmative action question has been raised very articulately by a number of groups. We will be looking at ways to try to protect the disproportionate ramifications for women teachers in the system and that kind of

thing. However, we are not going to make final determinations on those kinds of things until exhibit 890, 900, 1,000 or whatever, has been before us. I think the arguments about the public not being adequately involved in the process up to this time have some validity. We have to respect the desire of all those who wish to be heard without being absolutely prejudiced in our views.

I suggest that the proof of the pudding will not be there until we have finished the public hearings and are trying to address this bill. As chairman, I believe very firmly that many of the representations brought before us will find their way into the legislative wording of amendments to this act at some point or other, whenever we get around to it.

Mr. Davis: I would like to follow up on a couple of the comments that have been made. As to our party's position and certainly our caucus's position, since Windsor we have articulated a deep concern for single-high-school communities. As we have gone across this province, we have become more and more acutely aware of the difficulties.

It is apparent that the separate school boards at present are saying they are not interested in an umbrella board and are not interested in any single entity of education in the province.

Would you comment on the concept of some type of board of management in those single-school communities? I have not really defined what that means. Do you think that would work? You would share a school system and the school would be under the jurisdiction of a board of management dealing with such things as transportation and the purchase of supplies, but not necessarily with program, for which I think you want autonomy. Do you think that would work? Would you be willing to look at something such as that?

Mr. Pacey: I think the answer has to be, "Yes, it is well worth a look." It has to be better defined, as you have mentioned, but that is the beginning of an umbrella board in a small situation. I will not put my words on what you are thinking.

Mr. Davis: Do not put your words on what I am saying; that is right.

Mr. Pacey: I think it is well worth looking at. Anything is probably worth looking at if it helps to cut down some of the costs and duplication. We all know that for the supply-and-demand routine it is cheaper if we can buy in larger quantities. That is one of the duplications that

occurs right now. Under a board of management concept, there might be some validity to it.

Mr. Davis: I ask that because of some of the issues that are coming before us. It is not only the issues I addressed, the duplication areas. It is who exercises discipline in the schoolyard or who decides who is responsible for what piece of equipment that happens to get broken.

If I were going to be terminated from my school jurisdiction and there was a job in the other sector, I assume I would take it, just out of straight survival. Why do you think teachers would be reluctant to move into the separate school if they were not required to do religious educational programs? I am having some difficulty understanding that, assuming that we are all tolerant.

Mr. Pacey: Teachers are different. They are individuals. My teaching background is that I bounced around the province before I finally ended up there. I am not sure if I was not wanted or whether it just took me that long to find a place where declining enrolment was not as severe in my area.

You have to consider people's feelings and perceptions of things in the other board, and past practice. For example, I have with me approximately 15 letters that I kept from when I was applying for jobs. I still have some from separate school boards around the province, including a couple from the Nipissing separate school board.

It seemed to me the only reason I did not get employment or an interview was because I could not produce a letter from my parish priest. That does not sit right. Maybe some people would hold a grudge a little longer.

I am going to quote from our brief. It is a quote that comes from the Nipissing separate school board's August presentation to this body in Sudbury. It says, "Teachers who accept posts in Catholic schools should respect the distinctive character of Catholic schools and give their active support to it under the direction of those responsible."

As a professional, I have no problem with the beginning of that statement, "...who accept posts...respect the distinctive character." When I get in there, as a professional, I will respect the distinctive character. It is the last part that bothers me because I may be in that situation as early as next year. It is, "...give their active support under the direction of those responsible."

I am a math teacher; it is a good choice.

Mr. Davis: I knew that.

Mr. Chairman: You are uncanny, Mr. Davis.

Mr. Davis: It is my ability to foresee the future.

Mr. Chairman: Perhaps you can tell us when we are going to finish these hearings.

Mr. Davis: Yes, I can do that.

Mr. Pacey: I perceive how things would be if I had a job in the Catholic system next year. It would be absolutely no different in my math classroom than it is now. But I read into this statement "...under the direction of those responsible," that there is going to be somebody sitting at the back of my room evaluating me. He is not just going to evaluate my ability to teach my lesson, to meet the needs and deliver the skills, but also on a religious basis. It says in here I have to give my active support. I have a strong concern that maybe that is going to be held against me somehow, somewhere.

Mr. Eichenberg: There is one thing more that you have to understand. The Huntsville district, which we brought up in our oral presentation, belongs to the Nipissing separate school board.

If we have a teacher who is, by nature, a very conservative animal, and most of the teachers are, and that teacher was asked to move to Huntsville, I know a great number of people who would not, who would question that because they saw the decision as political rather than educational. If it were me, I would perhaps, for survival, uproot and go.

As I am sure you have all heard, there is a great difference between the contract of the Nipissing separate school board and the contract of the public school board. As a negotiator, I made sure of that.

11:50 a.m.

Mr. Davis: I would assume you did. A final question. One of the concerns we have been raising involves teachers in the public school system who, for a variety of reasons, prefer not to move across. It has been suggested that we build in what we call a conscience clause. Can you give us any idea, if that was put in, how it would operate? My fear is that with such a thing as a conscience clause everybody would say, "My conscience says I cannot do it." We are trying to find a mechanism to provide for that.

Would you like to make any comments on a conscience clause? If you cannot do it today, maybe you can drop me a line. How might it be able to work? It works in some areas, but I have lots of problems with a conscience clause.

Mr. Pacey: I have a lot of problems with a conscience clause, but I think you have addressed something where it makes me feel happy

that I am sitting on this side of the table and you are sitting on that side. It is like at the Jays game last night, when I said, "Why do you not bring Burroughs up?" and he hit a home run.

Mr. Davis: Do not talk about the Jays game.

Mr. Eichenberg: I had not even thought of it before. We certainly will drop you a line on it.

Mr. Allen: We had some earlier discussions on the Nipissing situation with other boards and other representatives and we have seen the Nipissing board's brief and the proposal it put forward for a concept of co-operative board structure. Those are all interesting. The fact that Mr. Davis backed off under the response you made to the board of management, suggests there are some major problems which indicate why this is not part of the current legislation.

Mr. Davis: I did not back off.

Mr. Allen: The implications that it was leading in a certain direction is precisely why that notion gives some difficulty.

I appreciate the additional detail you have given. All of us on this committee have been trying to take seriously the issues of protection for teachers in the public system and the various ways in which they present themselves in different regions.

I was going to ask the same question about whether you had an observation on the conscience clause. There are collective agreements that do provide for conscientious objection and mechanisms for operating under that notion. It is not entirely impossible and it is one that, if it were not abused, could be a fruitful device.

One of the public responses we are getting to Bill 30 is the unusual extent of protection that we are offering to one group of employees in the province. As a committee, we have tried to defend ourselves by saying these people are legislatively impacted, they are not undergoing a normal kind of unemployment or normal threat to their employment.

I have some difficulty when I read an Ontario Secondary School Teachers' Federation brief saying, "It is not reasonable to expect a teacher living in Sturgeon Falls to move to Huntsville as a result of extended funding." I wonder whether there are any circumstances under which a teacher in Sturgeon Falls might think it reasonable to have to relocate himself in a place like Huntsville. You have knocked around a lot and I have knocked around a lot and lots of people have been unemployed in the past. Why is there such a great problem about being relocated from Sturgeon Falls to Huntsville?

Mr. Chairman: What is there about Huntsville?

Mr. Pacey: It is not Huntsville we are knocking, it is the reason for having to be relocated. I have been moving around as you say, or I have in the past, but the reason was always declining enrolment or other things I knew were there when I got into the teaching profession.

I knew when I took my first job in Hamilton that it was for one year and that at the end of that year there was no guarantee of a job. I then moved to North Bay. I was there for one year; the same thing. I then went to Capreol. But I saw it beforehand. These were things I knew I had to accept and which could possibly come down.

I know there will be some teachers who will react and say, "I need bread on my table; I will go." That is no problem, but perhaps there will be somebody, somewhere, who will say: "I am being forced out of the place where I grew up and lived in. I have to uproot my family, my kids, the whole bit, for something that is a religious or political move and I do not like it. Why should I be forced out for that reason?" It is the reason I have to move that concerns me. If I were in the public sector or private industry and people were just not buying the product any more, it is not politics, it just happened, and I knew it would when I got into the business. That is the major difference.

Mr. Allen: How different are you from an employee impacted by the recent decision about pop cans or a potential decision to cancel Darlington? There are a variety of reasons, political and otherwise, in our kind of economy, with the kind of interface between public and private sectors that put a lot of people in those positions. It goes on all the time. I just wonder, on behalf of the many people out there in the public looking at the range of protections—I understand personally nobody likes to be uprooted—whether there is something unusual or special about this case, that is so different we must be concerned about it.

Mr. Pacey: I would say yes, there is something special about it. I think your pop can example is good, but that is one in which there is a decline in the steel industry but an increase elsewhere and jobs will be similar. It is not a situation in which this person cannot go over to that, because they do not accept steel people in the aluminum industry.

Mr. Allen: I am assuming you are talking about a move from Sturgeon Falls public system to the Huntsville one, in order to get another job.

Mr. Pacey: No, we are referring to a move from the Nipissing public board to the Nipissing separate board which has jurisdiction in Huntsville. If I have read Bill 30 correctly, it could offer me a position if I were living in North Bay. It could say, "Sure we have a job for you, but it is teaching grade 8 math in high school." If I have read what is proposed now and understand it correctly, if I say "No," then neither board has responsibility for me because I seem unilaterally to have decided no. Maybe I have misread it, but that is the perception we have.

Mr. Chairman: That is true on a second occasion. You are interpreting it correctly.

Mr. D. S. Cooke: I think it is a coterminous board.

Mr. Chairman: Yes.

Mr. Allen: Okay, I did not understand that was your argument. None the less, in principle is it really very much different from accepting a job across the systems in the way Bill 30 envisages it anyway? Is it very different, for example, from the surplus arrangements in the Toronto board area where a position might open at the other end of the city from where you normally live?

Mr. Pacey: That is not as far to drive.

Mr. Chairman: Across Toronto is the only difference, I suggest.

Mr. Allen: I do not know. It is just about as big.

Mr. Chairman: It is not 100 miles.

Mr. Allen: It still sometimes takes you an hour and a half to get to work. In any case, I just wanted to probe that with you.

Mr. Chairman: Is that it? Good. I have done even better than I thought. Are there any other questioners? I have none on the list.

I want to thank you both very much for coming. I think the question of long distances within a coterminous board is something we actually have not heard before and it is very useful for us to consider, given the northern realities and those of other areas of the province.

Did you want to make a final comment?

Mr. Pacey: Yes, if you would not mind. Actually, I would like to issue a challenge to the members who are here and those who are not, because as I read through the list of credentials of people on the committee and where they were from, provided by our OSSTF friends from Toronto—

Mr. Chairman: We will get them for that.

Mr. Pacey: —one of the things I noticed is that there seems to be a lack of involvement

from the northern Ontario MPPs, with the exception of Mr. Bernier. I lived in southern Ontario for 25 years. I grew up here and it really was not until I moved to North Bay that I began to appreciate the problems that were affixed to the communities and schools up there.

I would like to challenge the members as individuals here, before you make your final recommendations on Bill 30, to come up and visit a northern Ontario community. Come and visit us. Mr. Eichenberg might even take you fishing. You might catch a fish.

I challenge you to come up, talk to the people and sit in our schools. We will show you a good time while you are there and you will see some problems that are different from those down here in the south.

Mr. Chairman: Thank you for the invitation. Mr. Davis, it is very kind of you to say the chairman could go. As you know, we have made a visit to northern communities already. I think sending me into a classroom would run counter to section 235 of the Education Act and would be a dangerous thing for your children and therefore it is not something that I would recommend. But thank you very much for the invitation.

Before we adjourn, I want members to be aware of the fact that I said we would have a status report on the requests we have made to the various ministries. Mr. Gillies has just provided that this morning. I will run down them for you.

The first one is from the Ministry of Education. The second is from the Ministry of the Attorney General. Third, the Ministry of Education. These are requests we have made from them which we are still expecting things back on. Fourth is the commission on retirements, retirement patterns, etc. It is coming from the commission that deals with that; I forget the exact title. Fifth is the Ministry of Education. Sixth is the Saskatchewan Department of Education, which is sending us information, and the Ministry of Education is seventh. This does not include the requests made yesterday for other things.

Mr. Davis: What I consider to be one of the most serious pieces of information we asked for—promised to us by the minister, who indicated he was going to respond—comes from one of the questions I used to ask all the time about viability. He indicated he would have a report before this committee based on some kind of criteria for the viability of a school program. That is important for us to have if we are going to deal with the single-school communities.

Mr. Chairman: I will raise that with Mr. Gillies and see what is happening.

Mr. D. S. Cooke: Also, right at the beginning when we were getting briefed by the ministry, we were to get some information on the impact on women. That impact study is supposed to be done by every government before legislation is instituted.

Mr. Chairman: I will check up on both of these matters. Anything else the members remember?

Mr. Offer: You indicated at the beginning of the day that you had a statement.

Mr. Chairman: This is it. I wanted members to know the ministries, etc., had already come back with this list of things they were working on. I thought it would be wise for us to start keeping a running list, because we had not done that. If members remember other things we requested that are not on there, let me know this afternoon and we will pass it on through the ministry. The meeting is adjourned until two o'clock.

The committee recessed at 12:03 p.m.

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From the Hamilton and District Ecumenical Coalition for Public Education:

- Farrell, Canon R.
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From the Ontario Secondary School Teachers' Federation, District 33, Nipissing:

- Eichenberg, B., Past President
- Pacey, K., President
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No. S-53

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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, September 26, 1985
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 26, 1985

The committee resumed at 2:03 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Mr. Chairman: I call the committee to order, it being 2:03 p.m. and there being a marginal quorum.

This afternoon there are number of presentations, and again I will try to keep this as strictly to the time as I can today to make sure that everybody gets a chance to be heard.

The first presentation is from the Ontario Federation of Home and School Associations.

I recognize Mrs. Hodge, who was on a panel on this subject just before the election, but I do not know her colleagues. Perhaps you can start leading us through exhibit 716.

ONTARIO FEDERATION OF HOME AND SCHOOL ASSOCIATIONS

Mrs. Shaw: I am the president of the Ontario Federation of Home and School Associations, a member of the Canadian Home and School and Parent-Teacher Federation Inc. I thank you for the opportunity for my colleagues and myself to appear before you today. I will endeavour to give you a brief overview of our organization.

We are a nonprofit organization of volunteer parents from across the province with no political affiliation. The Ontario Federation of Home and School Associations is composed of a president, two vice-presidents and eight regional presidents, these being in Thunder Bay, Parry Sound, Ottawa, Oshawa, Scarborough, London, Brantford and Niagara Falls.

We are not experts, nor do we pretend to be, but we are informed and concerned parents. Our strength lies in our ability to relate our membership's views to all levels of government. We therefore feel a strong desire to make our views known on extended funding to Roman Catholic secondary schools.

It is essential that we understand the concerns and viewpoints we each hold and that we be prepared to discuss them freely. We hope that after reading our position paper you will be able to understand and appreciate the concerns and objections held by the Ontario Federation of Home and School Associations.

The committee members were both Roman Catholic and Protestant. Therefore, we feel we are able to present a brief to you without bias. We all agreed that the questions raised were extremely important to all.

Now I will introduce the committee members here today. We have Mrs. June Hodge from Etobicoke and Mrs. Mary Bawden from London, who will present our submission and answer your questions.

Mrs. Hodge: We would like to thank the standing committee on social development of the Ontario Legislature for the opportunity to present our concerns and recommendations regarding the implementation of funding to the Roman Catholic secondary schools and Bill 30.

We have endeavoured to place before you resolutions that have been adopted by our members, and we have added some recommendations made by the executive and the school funding committee. It is our hope that this information will be helpful to you as you consider amendments to any proposed legislation.

We commend the government for sending Bill 30 to the committee for debate immediately after second reading and for giving the public an opportunity to discuss the issue with no deadline set to limit the debate. We also commend the government for sending the bill to the courts for a decision regarding the constitutional issue.

The Ontario Federation of Home and School Associations is opposed to the extension of public funds to any private or separate school system. This has been our policy for 14 years since a resolution was adopted at our 1971 annual meeting.

Recommendation 1: That the Minister of Education limit all provincial financial aid to school systems other than the public school system to grades up to and including grade 10.

We are very concerned that the proposal to extend funding to the Roman Catholic separate school system for secondary education will have a devastating effect on the educational opportunities available to all children in both school systems.

Our members are expressing concern that since then-Premier Davis's announcement on June 12, 1984, a denominational awareness has

developed in schools and neighbourhoods and the tolerant, peaceful, multicultural society we are so proud of seems to be fragmenting. The students in secondary schools today and for several years to come may become the losers. We must not let this happen.

Home and school association members are exasperated by the process that has been followed regarding the proposal to implement funding. This frustration was expressed to the members of the previous cabinet and to all party leaders through our position paper. This paper was ratified by our membership at our annual meeting in April 1985; it is attached as appendix A.

At no other time in recent years has a change of such magnitude been implemented with such haste and apparent lack of prior consultation and preparation. We firmly believe the voters of Ontario would welcome the opportunity to express their opinions on this issue by means of a public referendum.

An incredible situation exists. The provincial government is proposing a very major change, the extension of funding to Roman Catholic secondary schools. At the same time, a commission has been appointed to inquire into the role and status of independent schools in elementary and secondary education in Ontario, and another commission is studying the financing of elementary and secondary education in Ontario.

Conclusions and recommendations that will be made by these two commissions are relevant to the situation that existed before the 1985-86 school year. Further chaos may be created, and at whose expense? The students in secondary school right now. Have the conclusions and recommendations of these two commissions been considered in the writing of Bill 30?

2:10 p.m.

At its annual meeting in 1985, the Ontario Federation of Home and School Associations adopted the following policy:

Recommendation 2: That the Premier of Ontario and the Minister of Education delay implementation of the proposed extended funding to the separate secondary schools for a minimum of two years from the proposed implementation date of September 1985; and further, that the Premier of Ontario and the Minister of Education prepare a white paper on the proposed recommendations of the three established commissions, namely, the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, the Commission on the

Financing of Elementary and Secondary Education in Ontario, and the Commission of Inquiry into the Role and Status of Independent Schools in Elementary and Secondary Education, before that legislation is introduced into the Ontario Legislature. Time must be allowed for public consultation, discussion and input before any changes are implemented.

The Ministry of Education booklet *Education—What's In It For You* states: "The principle is simple. All Ontario residents—wherever they live—should have access to quality education." As home and school members who support our slogan, "The Best for Each Child," we agree wholeheartedly with that principle.

The Ministry of Education is to be commended for distributing the book *After 8?* to grade 8 students. It is very informative and helpful. The introduction on page 5 of the 1984 and 1985 editions states, "The credit system will allow you to find courses suited to your ability, interests and personal goals...."

The pamphlet *Education for Tomorrow: The New Secondary School Program in Ontario* holds out additional promise: "The new system is designed to prepare the student, through informed course selection, to enter the world of work or post-secondary education." A further quote: "Secondary school courses will be available at three levels of difficulty."

The Ministry of Education and the local school boards are challenged as never before to fulfil a commitment that appeared to be held out to the students and parents who have read the above statements.

We believe the government of Ontario has a responsibility to ensure that the citizens of Ontario will always have the very best educational opportunities available and freely acceptable for all children at the lowest possible cost to the taxpayer. Could not these obligations be best served by one publicly funded school system?

We must constantly examine and guard the goals of education as set out by the ministry. Like all democratic institutions, education can be subjected to human weakness and error. That is the very nature of society, and the society of the future is in school today.

Recommendation 3: That the Minister of Education maintain control of standards in all Ontario schools for the education of children.

Home and school members support the availability of the widest possible choice of programs and courses, well-qualified staff, well-equipped resource centres, remedial assistance and guid-

ance services and classes small enough to encourage personal contact.

Faced with the economic realities of 1985, it is impractical to suggest that there are enough tax dollars to duplicate these important services. Programs and courses are threatened as school boards try to provide the same opportunities for fewer students with less money. The government's five-year commitment to provide additional funds for special education (Bill 82, 1980) has not yet been renewed for 1985.

In the midst of a decline in secondary school student enrolment, it would seem to be more feasible to bring the student population together to ensure there is a maximum number of courses and resources equally available to all students so they are able to cope in a rapidly advancing technological world.

Parents fear program cuts are inevitable, and it is difficult to see any wisdom in the government's decision to implement funding support for the separate school system.

There are many communities in Ontario served by one small secondary school, where the secondary student population totals 400 to 1,000. Implementation of this extension to the Roman Catholic secondary schools would create two smaller schools. It would be very difficult to offer even a minimum choice of courses.

If each board has six or eight students wanting a particular course which cannot be offered to fewer than 15 students, how will the boards know there is enough demand for one board to provide the course, and how will the students be notified?

Many of our members have made suggestions to us supporting a single publicly funded school system. Imagine the educational opportunities we could give to every child in Ontario if we pooled the resources and money of school systems. We could have an education system second to none.

Recommendation 4: That the Ontario government give serious consideration to the concepts referred to as "amalgamation," "unified boards" and "consolidated boards," and give serious consideration to providing students with the widest possible choices of programs and courses, especially in the high-cost programs such as technical, business, trainable mentally retarded, vocational, French language, etc., and realizing economies that would not directly affect the classroom (i.e., board and administration offices and equipment, tendering and purchasing, storage and delivery of supplies, professional library, learning materials and resources, support staff, professional development, school busing

and many more areas), while accommodating Roman Catholic students in areas which are more directly affected by Catholic influence (religious classes, health, English literature, sciences) thus avoiding fragmentation of the system as a whole.

Members of the Ontario Federation of Home and School Associations would like to be assured that adequate funding for education is maintained. There are fewer taxpayers with children in school. Rising costs, a troubled economy and unemployment are placing increased demands on the available tax dollar.

The government of Ontario is encouraging spending restraint. In announcing provincial grants to school boards on March 7, 1985, the former Minister of Education said he expects that both employers and employees will show restraint and hold increases and total compensation to a three per cent level.

Education Statistics Ontario, table 8.01, page 163, shows the percentage of education costs covered by the provincial grants has fallen between 1975 and 1982 as follows: public schools, 1975, 53.39 per cent; 1982, 41.32 per cent. Roman Catholic separate, 1975, 84.89 per cent; 1982, 80.62 per cent. Secondary schools, 1975, 58.94 per cent; 1982, 44.32 per cent. All schools, 1975, 61.32 per cent and 1982, 50.50 per cent.

Inadequate school funding and costs that do not directly enhance the classroom have been discussed by home and school members, and they have adopted many resolutions to express their concerns to the Minister of Education and the provincial government. These resolutions are relevant to the very important issue being considered at present and are attached as appendix B.

Roman Catholics are not alone in their desire to have their children develop common moral values. One of the main objectives of the Ontario Federation of Home and School Associations is "to obtain the best for each child according to his physical, mental, social and spiritual needs." Concerns about common moral values and the quality of life that create our environment and shape the attitudes of children, have been discussed with Ministers of Education through resolutions adopted by our members and attached as appendix C.

Implementation of Bill 30 is said to be in keeping with the spirit of the British North America Act of 1867. However, many progressive social changes have been made or have evolved since 1867. Women are now persons instead of nonpersons. They can vote.

Bill 82, 1980, has ended discrimination against the disabled and guarantees that the local school board provide educational opportunities for them. Bill 119, 1984, ensures minority-language students, whose mother language is one of the official languages of Canada, education in that language. Both Bills 82 and 119 require a board to provide transportation, room and board for a student when the board purchases that education from another board.

Both Bill 30 and Bill 119 seem to be counter to the Charter of Rights and the Human Rights Code in that they separate children and create discrimination based on race and/or religion. If the court rules that Bill 30 is constitutionally valid, many other groups that have established private schools may be entitled to receive funding support from the provincial government. Does the government plan to extend funding to other private religious schools? If funding is extended to other private religious schools, where will the money come from? What action does the government plan to take if the court rules Bill 30 unconstitutional?

Despite our obvious disapproval of the proposal to implement extending funding to Roman Catholic secondary schools, we feel a responsibility to the children of Ontario to comment on some very obvious weaknesses and omissions that we see in Bill 30. I will ask Mary Bawden to go over that area.

2:20 p.m.

Mrs. Bawden: Our commenting on parts of Bill 30 and not on other parts of Bill 30 should not be interpreted in any way as approval by the Ontario Federation of Home and School Associations. Several sections of Bill 30 are too open to interpretation, we feel, and it is important to clearly state the intention of all legislation.

We do not believe the extension of funds to the separate secondary schools is intended to take away from Roman Catholics the privilege they have enjoyed under section 119 of the Education Act. It has been their historic right to choose the school system they wish to support.

Recommendation 5: That a statement be added preceeding section 136a guaranteeing Roman Catholic ratepayers their right to choose under section 119 of the Education Act.

Mr. Chairman, our time is limited is it not?

Mr. Chairman: Yes.

Mrs. Bawden: At this point, would it be better if I were simply to read the questions on the recommendations?

Mr. Chairman: I would suggest it is not a bad approach. There are so many recommendations that are very useful and would probably spur some questions that it would be at least a means of guaranteeing that you get some feedback as well.

Mrs. Bawden: Under section 136d, we have a question. Does a Roman Catholic board operating as suggested in section 136d receive grants which it must then pay to the other board? We have a real hangup on things that are unnecessary paperwork in our minds.

Could Roman Catholic boards enter into an agreement for four or five years and then withdraw to form a Roman Catholic secondary school providing all grades? What provisions in Bill 30 protect the public school board which has been providing the services?

Recommendation 6: That grants be paid directly to the school board the student attends.

Section 136g raises a question. What about an area where there is currently no Roman Catholic board or an old separate school board?

Sections 136e, 136h and 136f have caused us very much concern because they refer to a sharing of the grants, which would indicate that we are going to fragment our money and leave less for everybody. Are grants referred to just until the end of 1985 or for the 1985-86 school year?

Recommendation 7: That Bill 30 contain a commitment that there will be sufficient funds provided by the government of Ontario for both systems: (1) to cover phase-in for Roman Catholic secondary boards; and (2) to cover renewal of outdated and worn-out equipment for secondary schools, at least for the 10-year period covered by Bill 30. Further, such funds must be in addition to funds normally allotted to the Ministry of Education budget.

Sections 136d, 136e and 136o refer to regulations. At the time we wrote this, the regulations were not available.

Recommendation 8: That the Ontario Federation of Home And School Associations, as well as other concerned groups, be given the opportunity to participate on any Ministry of Education committee and/or council struck to consider any changes to the present system of provincial financial support to education.

We have a concern with section 136h regarding the total transfer of our French secondary school.

Recommendation 9: That Non-Catholic students referred to in part XI not be denied access

due to limitation of space to any secondary school that is transferred to the Roman Catholic school board.

Recommendation 10: That, under section 136i, the Roman Catholic trustees be required to declare a conflict of interest on any issue relating to the extension of funds for the Roman Catholic secondary school that is on the preparation of the public board's impact statements on staffing, etc.

Section 136j raises a question. Is the Roman Catholic board responsible for paying fees to the public school board for these students or will the province pay the fees? That is in relation to the children who are still in the public secondary schools.

Recommendation 11: That section 136k be amended to apply only to Roman Catholic school boards that have elected to perform the duties of a secondary board. I believe section 136k requires the separate school board to prepare estimates.

Recommendation 12: That, under section 136l, Bill 30 guarantee fair treatment for all public school board employees. Will Roman Catholic boards be able to shift and delete staff at the end of the 10-year period?

Recommendation 13: That subsection 136l(7) be deleted, or at least revised, to give it a purpose.

Under subsection 136l(8), we raise the question, who will pay the teachers that the public board cannot terminate? What will the teachers do? Are teacher qualifications and certification requirements the same in both systems? What about other staff?

Recommendation 14: That Ontario, through the Ministry of Education, provide courses to train designated teachers for open positions.

Recommendation 15: That a better definition of creed be added to Bill 30.

Sections 136l and 136m contain powers for two commissions. Section 136l requires the planning and implementing commission to do quite a number of things relating to teachers. Section 136m has the criteria for settling staff disputes.

There could be a role for the Education Relations Commission to play in drawing up the criteria, rather than just in settling the disputes, so that the whole thing would work. Should not the Education Relations Commission have a role to play in section 136l to help avoid disputes? Also, under subsection 136m(1), does this apply only to pupils already enrolled in public secondary schools and does it apply only to the phase-in?

Recommendation 16: That, under subsection 136m(2), clear guidelines and criteria be established so that public boards will not be jeopardized by the Charter of Rights and Freedoms or human rights codes as they try to determine the number of Roman Catholic students for whom the Roman Catholic board must pay fees.

Recommendation 17: That, under section 136o, all students be allowed to attend the school of their choice.

Recommendation 18: That legislation be enacted requiring a parent or guardian to notify both boards of education prior to April 1 in any year of the transfer of a student from one school system to another and, further, allow students electing to transfer to attend the new school at the beginning of September. This resolution would not apply in the case of a change of domicile. That resolution was adopted in 1973, so there must have been a problem somewhere at that time.

Recommendation 19: That a method be established that will allow school taxes to be directed to the school system that a student attends.

Recommendation 20: That ministry grants be paid to school boards based on student enrolment, thus avoiding unnecessary and expensive administrative costs.

Recommendation 21: That subsections 136o(6) and 136o(7) be replaced with sections similar to subsections 50(1) and 50(2) of the Education Act, so that both systems are parallel in allowing children to receive or not receive religious education.

Under subsections 136o(9) to (14) inclusive, those sections could be eliminated if our suggestions for settling disputes, listed above, were accepted. The planning and implementation commission needs expertise in a lot of areas and perhaps an educational ombudsman, as we said in 1970, could be a help here.

Recommendation 22: That an educational ombudsman be appointed to serve all levels of education in matters of individual dispute, to provide sufficient staff, to publicize the appointment and nature of the service and to publicize that the ombudsman should be consulted only after local authorities have been unable to solve the problem.

Under section 136p, does this statement mean that sections 136a to 136y take precedence over all other sections of the Education Act? The words "necessary modifications" bother us quite a bit. Should not any publicly funded secondary

school system adhere to the requirements already set out in the Education Act for secondary school boards?

Is it the intention of the Ontario government to implement two parallel, publicly funded school systems, one for Roman Catholics and one for all other citizens, even if in some communities (1) there are a very small number of secondary school students; (2) the separate school board has not elected to provide secondary education; and (3) there is not currently a separate school board?

2:30 p.m.

The planning and implementation commission has a lot of power for a group that is not elected. We feel it would also be very expensive.

Recommendation 23: That all partners in education should have input to the guidelines drawn up by the commission. We are concerned that no lay people were appointed to the planning and implementation commission originally. Our members have adopted many resolutions that relate to this concern. We direct you to Appendix D, Summary of Resolutions re Public Participation.

Recommendation 24: That, under subsection 136s(2), the planning and implementation commission be made responsible to the Minister of Education and that requirements for reporting to and consulting with the Minister of Education several times each year be included. We do not like the word "may."

Recommendation 25: That "(f) all matters relating to students" and "(g) disputes and the progress towards a solution" be added to subsection 136s(4). We think the minister might like to know about those things as well.

Recommendation 26: That, under subsection 136s(5), guidelines prepared by the commission should be subject to the Minister of Education's approval.

The following sections of Bill 30 are very detailed and complex regarding the action to be taken by the planning and implementation commission. It is of concern that there seems to be more written about property, staff, tribunals, methods and appeals than there is about students, programs and courses throughout Bill 30.

Regarding the transfer of property, we raise the question, will Roman Catholic school boards have the right to dispose of or mortgage transferred secondary school property?

Recommendation 27: That the Roman Catholic separate school board be required to adhere to the same criteria as the public school board

regarding the disposal and proceeds of sale of transferred property.

Mrs. Shaw, would you give us the conclusions?

Mrs. Shaw: In conclusion, parents fear that program cuts are inevitable and it is difficult to see any wisdom in the government's decision to implement funding support for the separate school system. Local ratepayers fear that real estate taxes will increase because of the provincial government's spending restraints and extension of funds to Roman Catholic separate secondary schools.

There should be a provision in the legislation for evaluation of the efforts of implementation. Both systems may be adversely affected. What plan does the government have as an alternative if one or both systems is adversely affected? We must have guarantees that the quality of public education will be maintained.

Recommendation 28: That the Ontario Federation of Home and School Associations have an opportunity to evaluate and comment on the final draft of the legislation before it is presented for third reading.

We look forward to receiving answers to our many questions and concerns so that we may inform our membership. We thank the committee for the opportunity to comment on Bill 30. We appreciate very much the co-operation we have enjoyed for many years with the Ministry of Education and we pledge to you our continuing commitment to work for the best for each child.

Mr. Chairman: It is a very impressive brief. This might be a surprise to some members, but having participated on a panel, I am not surprised by either the detail or the acumen in terms of being able to dissect legislation so well.

A number of the questions you are raising are not the kinds of things we will be able to respond to at this stage. They are the same kinds of questions we are asking and are hoping to hear more from the public about over the next while. There are questions, almost all of which have to be addressed as we go through the process.

In terms of your capacity to participate again in the formation of the bill before it is actually completed, it is very hard to tell at this point because we do not know when our actual hearings will stop and when our clause-by-clause considerations will start, but I think there will be some time between the time we finish clause by clause and before it goes to third reading.

Although the government may change the bill that comes from committee in addition to what we do, you would at least know what changes

had been voted on in this committee and what had been agreed to and what had not. You would have your chance at that point to approach the minister and the various parties before it goes to third reading about any additional changes you thought would be appropriate before it goes to third reading.

Mr. Allen: If anybody had any doubt that the parents of public school children have a really serious interest in and commitment to their welfare, this brief would have to dispel it. It is a very thorough brief. I also think anyone coming to the committee at a late stage would find all your questions a good introduction to the whole debate we have had. It is very thorough. I sometimes think when I see lists of questions like this that we should have a little office next door to the hearings where somebody could at least give a little reply where there are yes's and no's that can be said to some of these questions. That might be a little enterprise that might be worth looking into.

First a comment and then a question. On page 8 you list an interesting series of areas in which there might well be co-operation between the boards. You note the board administration offices and equipment, tendering and purchasing, storage and delivery of supplies, professional library, learning materials and resources, support staff, professional development, school busing and many more areas. It might be interesting to you to look at some of the hearings we have held, particularly in some parts of the province. Almost every one of those items is happening in a number of board situations at this time without the necessity of going to any fancy unified board structures.

With respect to promoting that kind of movement in the system of public education at large—and I mean to include both branches of the system of public education—would you be interested in seeing a provision in the legislation that required boards, that did not have joint committees, to establish them in order to review regularly ways and means of co-operating in areas such as these, with the necessity of reporting their progress on these subjects annually to the ministry?

Mrs. Bawden: Are you suggesting a commission underneath the planning and implementation commission? I am wondering how we would really make it work.

Mr. Allen: No. A committee that each board in a coterminous board situation—separate public and public public, as I call them for want of a better language—would have to establish in order

to promote further development of joint activities where those made sense in that region.

Mrs. Bawden: It could be productive provided one board was not talking one way and the other saying it did not want to do it that way.

Mr. Allen: Precisely because we have the occasional situation where that happens, we feel it may be necessary to promote it and push it a bit by legislation, to require some reporting back and to try to instigate some of that kind of activity. I gather you would be in favour of seeing something of that order as part of this legislation.

Mrs. Bawden: It probably would have to be in the legislation if it is going to work.

Mr. Allen: One could pose various other questions and make other comments about en bloc transfers of French schools, an issue on which we have had a lot of consideration. The precise question you raised is one that we have addressed, for example.

Going to your point 16, where you raise the question of whether public boards will be free from actions under the charter with respect to their attempts to determine the numbers of transferring students from the public to the separate system, would you amplify the concern that lies behind that particular question? I am not sure I see in the bill, or in the transfer situation, a problem for the public board, but perhaps you see something I do not.

Mrs. Bawden: It is my understanding that even enumerators ask the question very carefully, "Which system do you wish to support?" They do not ask the question, "Are you Roman Catholic?"

Mr. Allen: Are you presuming that the legislation would require a public board to ask students in its jurisdiction which school system they are going to go to?

Mrs. Bawden: We are referring here, I believe, to students already in the system and how it will be determined.

2:40 p.m.

Mr. Allen: Yes, but we are in a situation where students may be moving from the public system to the separate system. Are you assuming that the legislation lays an obligation upon the public board to ask its currently enrolled students whether they are going to transfer?

Mrs. Bawden: The legislation gives those students the right to continue in the public school system.

Mr. Allen: And to transfer.

Mrs. Bawden: Then it says the Roman Catholic board shall pay a fee determined by the regulations, or something to that effect. Obviously, it has to be determined which students are being supported by a public school ratepayer and which by a Roman Catholic ratepayer.

Mr. Allen: Their support would already be determined on the assessment rolls, would it not? Their parents would be registered as Catholic school ratepayers, and it would be known by checking with the family whether a child is moving from the separate board into the public board for a specific program. A formal application would have to be made for that kind of program.

Mrs. Bawden: We are referring to children who are not moving. They are staying in the public secondary school to finish their grades.

Mr. Allen: You are referring to the first two or three years of this process.

Mrs. Bawden: While this is happening, yes. That is what our question and recommendation relates to.

When students start public school now, I believe they take some sort of proof of their tax support with them. That necessarily follows through, except at the secondary level they do not need that, because at present all the rates for secondary education are paid to the public board. The indication was that would change the year following the election of—

Mr. Allen: That would be on January 1, 1987, hypothetically.

Mrs. Bawden: Yes. If that were to happen and the student chooses to remain, the public board is the one that will have to know the other board needs to pay the fee for that student. It gets into a real tongue-twister.

Mr. Allen: That is why I am asking you what the detail is behind it, in your mind.

Mrs. Bawden: The detail behind it in my mind is that now enumerators ask which school system a ratepayer wishes to support. They do not ask if a person is Catholic or Protestant. By the same token, the public school system has to be able to determine without asking a question that is in contravention of the Human Rights Code.

Mr. Allen: That would be the same question asked in the school, not whether a person is Catholic or Protestant, but which system a pupil's parent wants to support. Would that be a way around it?

Mrs. Bawden: We are asking you to make sure it is done correctly.

Mr. Allen: I am just scouting it with you. Thank you very much. I appreciate that.

Mr. Davis: I would like to commend you on an excellent and detailed report. It is very good for the committee to get documents such as this. You have succinctly pointed out the areas you want us to address.

I would also like to applaud you on your recognition that the responsibility for some of the decisions rests with the minister of the crown and not with the planning and implementation commission. It is certainly one of our concerns. Although it has been mentioned very briefly and has not been developed, it is an excellent idea to have some kind of periodic examination of what is happening, once Bill 30 is implemented.

My question is very simple. One of the concerns expressed has to do with accessibility for students. I ask this of you as members of the Ontario Federation of Home and School Associations and as members of the public school board. Understanding that, in the secondary panel only, any student who comes to the front door is guaranteed admission, regardless of space or of creed—there are no barriers—how would you feel, as parents and as members of the non-Catholic community, if the bill stated there would be complete accessibility for any student, with the qualification that every student must take religious education, except for those already exempt under Bill 30? There are two or three categories.

Understanding that there will not be a great influx, in my humble opinion, of non-Catholic students rushing into the Catholic system, how would you react to that kind of clause?

Mrs. Hodge: We did not say we were all non-Catholics.

Mr. Davis: That is right. I apologize for that. That is my mistake.

Mrs. Hodge: We feel there should be complete accessibility; that the same sections now in there, should also refer to the Roman Catholic schools.

Students would be exempt from anything to do with actual Roman Catholicism, the catechism or whatever. Our members do not have problems with anything involving any of the other subject areas where there might be an influence, but all non-Catholics should be exempt from the actual religious services, regardless of whether they choose the school because of location or program.

Mr. Davis: My rationale for asking is that the ethos of the separate school is the catholicity which, I am informed, goes through the whole system as well as religious education. In Saskatchewan that is the criterion. There is open accessibility. Everybody can go, but they go with the understanding that part and parcel of that package of attendance is religious education. That would be offensive.

Mr. Allen: But not the sacraments.

Mr. Davis: Not the sacraments. The sacramental life is not part of it. That is not the student's problem; it is the church's problem.

Mrs. Hodge: "Offensive" may be a very strong word to use.

Mr. Davis: I did not mean that, but you would not see that as an option?

Mrs. Hodge: No, I do not think non-Catholics should take part in any of the religious training at the school. We were discussing this the other day. What has happened is not quite related to what you have asked. When we started into this process in January, and in December of 1984, we were very upset at the way it had been introduced by Premier Davis.

As we delved into it and did research and had our members respond to us, we began to realize that the education system in Ontario had to be looked at very thoroughly. We began to realize that as taxpayers and people who work very hard for our money, we cannot afford two parallel systems running along beside each other. We feel it is time to look at that.

Mr. Bernier: Mr. Davis has asked a couple of my questions. For clarification, how large is your organization across the province? What is the size of your membership?

Mrs. Hodge: It is around 25,000.

Mr. Bernier: And how many separate schools?

Mrs. Hodge: The separate schools have their own parent-teacher organization.

Mr. Bernier: You have 25,000 in the public school system. How many different schools are involved?

Mrs. Hodge: I do not have that number.

Mrs. Shaw: Are you asking the number of associations across the province? Over 300.

Mrs. Bawden: Both elementary and secondary.

Mr. Chairman: Thank you for your report. It will add a lot of work for our researcher, who is happy about that. He keeps a compilation of all

the recommendations by section, and you have given him a lot to add.

Our next presenter is Mrs. Desjardins, with item number 715. Welcome to the committee.

RITA DESJARDINS

Mrs. Desjardins: Let me first express admiration for the members of the Legislature for taking this courageous decision to complete the Catholic secondary school system. As an older member of the Ottawa Catholic community, I am pleased to present my views and comments. I am in Toronto because there was no room at the inn—Delta, that is. I feel this legislation is important enough to warrant a trip to Queen's Park.

You gentlemen of the social development committee deserve our gratitude in acknowledgement of the long hours you have worked, your dedication to the issue, your understanding, tolerance, good humour and, above all, your stamina. I hope, as a result of your hard work, appropriate amendments correcting historic injustices will be forthcoming. I would like to add how pleased I am that the continued existence of the planning and implementation commission is legislated in the bill.

2:50 p.m.

First, I will address the right to a Catholic education. In this province the constitutional basis of Catholic public schools is as sound as the constitutional basis of nondenominational public schools. The process was begun in 1841, entrenched in 1867 and reaffirmed in 1982. Since 1841 there has been a two-stream public school system, public nondenominational schools and public Catholic schools. Total equality was intended for the two streams. A funded basic education was to be provided to every student, and today a basic education in Ontario is considered to be at least a high school education.

In 1841 neither kindergarten nor secondary education was part of the public system. Kindergarten was added to both streams and, in order to have total equality, the final grades must be equally funded in both streams. To do anything else would be to renege on the commitment made in 1841.

Over the years attempts have been made to correct the injustices and to improve funding to Catholic schools by such actions as the foundation tax plan. Such moves by the government were truly appreciated. However, blatant inequality still exists at the grade 9 and 10 levels, where partial funding is given to Catholic boards, which must scrimp along on less than full

secondary grants, while these same two grades in boards of education schools receive full high school grants.

Sacrifices were made by students. Some had to leave their friends, their teachers and a school environment in which they were successful and comfortable, at the end of grade 8 or grade 10, because parents were unable to pay tuition fees. You can appreciate how stressful and difficult this was for those students.

Parents made sacrifices too. My parents had little formal education and even less money. An aunt paid the tuition fees for my sister, but there was no money for mine. My mother, cap in hand, buried her pride and approached the sisters at Immaculata Separate School and begged them to accept me. I will be forever grateful to my mother for having had the courage to do this. It is not easy to beg. I never knew how many other students could not pay and benefited from the generosity of these sisters, who received very low salaries but were still willing to provide a free Catholic education.

Time did not lighten the burden. As separate school supporters, my husband and I supported two education systems—double taxation, in other words. For 20 years while our four children attended high school for five years each, we paid tuition and at the same time subsidized a system that did not serve us. That system received full grants, as opposed to partial or no grants in the Catholic schools, received large amounts of money from industrial and commercial assessment and received our residential tax, because we had to pay secondary school taxes to the only game in town. We were second-class citizens, and poor ones to boot.

If we wanted religious instruction and moral values included in our education system, we had to make tremendous sacrifices. Holidays were unknown to parents. Lower salaries were accepted by teachers. Student sacrifices included inferior and, in some cases, totally lacking sports equipment, sports fields, science labs, science equipment, orchestras, etc.

It is not pleasant to be poor, and it is aggravating to see my rich neighbour enjoying services that I helped to pay for but do not use and do not have available in the Catholic school. Students in nondenominational high schools have perpetually benefited from the taxes of Catholic families. To think that some object to the extension because Catholic education will be paid by public funds is to add insult to injury after the bonus we have provided all these years. We

have paid our way all the way. We would not choose to do less.

We all recognize that there will be some cost involved in phasing in Catholic secondary schools. However, the cost may not be as high as estimated. Rather, it may involve moving the money and the facilities around with the students. It is estimated that 30,000 Catholic students in Ontario are educated in private Catholic high schools. Without funding, the existence of these schools is threatened.

Suppose the 30,000 were forced to switch to public secondary schools. Even though the secondary school boards are receiving taxes from all the Catholic ratepayers, it is estimated that an additional \$140 million would have to be provided in grants by the Ministry of Education to pay for the education of these 30,000 students.

The same 30,000 students in Catholic schools are being educated at less cost per pupil. This tradition would indicate that Catholic high schools will continue to provide secondary education more economically. Graduates from these schools are perceived to have skills and talents comparable to anyone else. They do equally well at university, in the professions and anywhere in the working world.

Another saving will be realized when surplus schools are closed. School closures are necessary because of declining enrolment. Everyone was warned at the time of the Jackson commission about the effects of declining enrolment but some boards were slow to act for many reasons. It takes courage to close schools, but some secondary schools in Ottawa must be closed.

Closure action was planned long before this bill was conceived. People generally are not aware of the impact that declining enrolment has on revenue, but it is unreasonable and most unfortunate that closure of schools is blamed on extending funding for two grades in an existing Catholic system. That is scratching the bottom of the barrel for reasons to oppose Bill 30.

Some tax money formerly received by the secondary system will be diverted because Catholics will be able to direct their secondary school taxes to the Catholic system for the first time. However, the idea of funding education totally from general provincial revenue rather than having the local taxpayer subsidize education has great appeal and merit. It relieves the fears of those who see an extension as a threat to maintaining the quality of education in the public system, and it would alleviate the fears of those who contemplate an equally unpleasant alternative, a healthy increase in their tax bill.

The arguments about divisiveness, segregation, forcing religion on people, etc., are all arguments used by persons who are opposed to the existence of Catholic schools. A school system can only be as divisive as the society it serves. A new Catholic school system is not being introduced by Bill 30 in 1985. The Catholic system in Ontario is here. It has been here since 1841 and will not disappear. We have fought for what this bill proposes for over 100 years, although not with bloodshed, street fights and all the other horrific scenes being presented now. We have fought for it with sacrifices on the part of parents, students and teachers. It is not a new system created in 1985.

3 p.m.

What we are anticipating is extending an existing school system for two years. We are looking forward to the two public systems being funded equitably and fairly, as was envisaged in 1841. We are expecting the same principles that have applied at the elementary level to continue into the Catholic secondary school system. Bill 30 deals with extending funding to an existing school system for two more years. What is divisive about fairness, equality and eliminating discrimination? What is divisive about Bill 30?

Finally, a wrong will be corrected. There will be quality education in both systems fully funded for all. Diversity is a blessing, not a curse. Divisiveness occurs only when there is injustice. Fairness and justice breed, between equals, co-operation, sharing, healthy competition and fellowship. It will improve the quality of education and do more to unite than divide. It will, by example, teach tolerance, understanding, fairness and justice.

Board structure: Having lived with this situation all my life, I can tell you it is far from satisfactory when a board manages two different panels of education funded by different groups of ratepayers. The time has come for the Catholic and the nondenominational boards each to have a single panel encompassing the elementary and secondary levels.

Catholics would direct their assessment towards the support of the Catholic system and non-Catholics would direct their assessment towards the support of the nondenominational school system. This is a simple, straightforward plan and would correct the widespread belief that separate school supporters are not paying the same amount of taxes to the secondary system as the non-Catholic.

However, the greatest boon would be to have all the Catholic trustees sitting on one board, the

same board, rather than as in the past, divided between a Catholic school board and a secondary board of education.

A single panel would eliminate the splitting of taxes. For Catholics to continue to split taxes between an elementary board and a high school board would perpetuate the present differences and make it more difficult for Catholics to see themselves as separate and complete. A single panel would remove a tremendous amount of paperwork and administration costs from the municipalities. Direct arrangements between two boards to purchase services when necessary are being made and are working very well.

It would mean one ballot at election time. Any changes that improve the method of electing Catholic trustees in Ottawa and make it possible to inform the electorate on issues as well as the ability and suitability of a candidate must be embraced with all haste. The present electoral process is ridiculous and change is long overdue.

Access: Bill 30 guarantees access to the system to which the taxes are directed. It guarantees access to non-Catholics and provides for exemption from religious instruction if the student attends a Catholic school for purposes of program, distance or exceptionality. In all other circumstances, a non-Catholic attending a Catholic school must participate in religion classes, since religious education is part of a Catholic school system. This should not present a problem, since in those instances the choice to attend was a free one, made by someone fully aware of what to expect.

If you do not believe in Catholicism, if you do not want your child exposed to it, if you do not like what is offered and if you have another system that offers education without the Catholic elements, why in the world would you want your child to attend a Catholic school?

If all non-Catholics are to be given access and if all such students are allowed to be excluded from religious education, the Catholic school will no longer be Catholic. If that is what this bill offers then I say to you: "Forget it. It is an offer I can refuse." We have made too many sacrifices over all these years to settle for such a watered-down system. It is better to be poor and honest, and Catholic schools must be Catholic.

Accommodation: It has not been easy to see beautiful schools, with facilities and programs unknown to our children, built and provided with our support, while we pay tuition for our children to attend a box with the bare essentials.

When some of these buildings are transferred for use by Catholic secondary classes, it should

be remembered that a high percentage of Catholic ratepayers contributed a substantial amount of tax dollars towards the construction, furnishing and maintenance of every secondary school in Ontario. It would be a horrible injustice if Catholics have to pay a second time for the same buildings. Are we going to buy from ourselves? It is a most unique situation to be seller and buyer at the same time.

Teachers: The most dogmatic group to oppose Bill 30 has been the Ontario secondary school teachers. They have blown it out of all proportion. Fears have been exaggerated by vocal minorities. Paid advertisements, presenting only some facts and distorting others, have disturbed people and caused unnecessary fear and confusion, as well as distrust, where they had not existed.

The secondary school system in this province is strong and viable enough not to be threatened by this bill. This bill guarantees its survival.

For purposes of staffing, it is difficult to determine which teachers are redundant because of declining enrolment and which are redundant because of completion. It is possible that many redundant teachers from secondary schools will be assured of employment in the Catholic high schools even if the redundancy is caused by declining enrolment.

Teachers from the public system have not been disadvantaged by the implementation of extension.

It has been suggested that elementary teachers in the public system should be given job security. This bill deals with secondary education only and has nothing to do with public elementary education. Secondary public school teachers are protected in every way for 10 years.

Now we come to the biggie—catholicity. Catholic schools are different from other schools because there is a doctrinal basis on which they are established. Religious education is not just another subject.

Catholic schools strive to provide an environment that encourages the growth of the child, spiritually, physically, intellectually, morally and socially. We want our system to play an all-encompassing role in the formation of values, beliefs and attitudes.

To a child, anything that is important or worth while is part of the school day. It is discussed or learned at school. If God is ignored at school, if he is not mentioned or talked about, then to the child God cannot be very important.

The parents may do their best to make God known to the child, but if the teacher and the new

friends never mention God, if no one in this new life knows or cares about God, then to the child, God must be someone of little consequence.

A Catholic school affirms in its daily life that God and the world are at home with each other; they are not foreign to each other.

God's life and truth are integrated into the entire curriculum and life of the school. God is actively concerned with this world which he created. He did not make it and go away. Rather, he became totally involved by sending his son, and still lives with his spirit in the Christian community.

Christ is not directed solely in his concerns towards what is called religion—sacraments, prayers, etc. He is equally centred on science, technology, art, communications, sports, mathematics, etc., and the problems of each area.

His vision of these realities in our lives gives each one its proper freedom and yet co-ordinates each one so that it will have a constructive role to play in building human society.

This vision is not a fully detailed blueprint of how the world should be that is available only to Catholics. But the vision of life rooted in Christ, and so in God, is the value which Catholicism offers to a Catholic school and, through it, to the community at large.

It is a value which unifies the plurality of subjects studied, which guides the students in their decisions in life and in their career choices.

If our society is secularist and increasingly materialistic, then it is so because some influential members of this society have made these qualities their values. They did not drop out of the sky; they came from human beings who are influential thinkers with great drive and who know what they want and have made secularism and materialism their life values.

The vision of life rooted in God leads to dissatisfaction with pure secularism and will ensure that science and research, technology, economics and industry do not establish dehumanizing structures. These are the values we want in Catholic schools.

A Catholic school system, because of its intrinsic worth, has a very real contribution to make to society. The values that are given through the school community are more essential now because of how our world has developed.

3:10 p.m.

In Catholic schools, every child is given the chance to hear about a loving, caring God. Adversity comes to all of us sooner or later, and when it strikes, religious beliefs, attitudes and values can provide the support and strength

necessary in troubled times. Religion is a very important segment of a pluralistic society and should be allowed to make a contribution to matters pertaining to the real world. Its moral nature should not disqualify it from getting a fair hearing.

In conclusion, the ordeal of birth is forgotten upon the arrival of a child in all its perfection. Just so, because of Bill 30 we are ready to forget the past and to accept graciously and gratefully and to enjoy wholeheartedly a fully funded, paid-to-13 Catholic system.

I know that has been very lengthy. I told you those are my views and comments and I tried to cover them. If there are any questions, I will try answer them.

Mr. Chairman: You took us through with great dispatch, Mrs. Desjardins, and we are glad you were able to come down from Ottawa since, as you say, the inn was full at the Delta; very full until very late at night, as I recall. We appreciate your obvious commitment in coming this extra distance to make your views known.

Mr. D. S. Cooke: I appreciate your brief. I appreciate the portion of your brief where you—probably in more detail than most of the other briefs we have had—tried to explain to those of us who did not attend a Catholic school and are not Catholic, what catholicity means to you in the school system.

I would like to ask for your help in telling us what exactly has to be in Bill 30 in order to maintain the catholicity of the Catholic secondary school system. What are the absolute bare bones essentials in order to protect the catholicity and the unique nature of the Catholic school system?

Mrs. Desjardins: We have maintained the catholicity at grades 9 and 10. The same kind of treatment for 11, 12 and 13 would be quite satisfactory. I realize that in some areas it may be more difficult. I am speaking from the viewpoint of an Ottawa resident and the situation there. I have expressed my opinion that I could not see open access. On the other hand, I do not see a grand rush of people to come in. I think over the years we have co-operated with the different boards, in services that have been bought from one another, in sharing and a lot of other things.

If we are given the same treatment as the board of education, it would be close to heavenly anyway.

Mr. D. S. Cooke: Would you have any difficulty with non-Catholics being in positions of responsibility in the Catholic school system?

Mrs. Desjardins: We have always had some. I do not see any great problem with that. Unless you are going to have a subversive element introduced, most of these people are good people and unless they are going to be blatantly—

Mr. D. S. Cooke: As long as they follow the policy of the board. You would not have any particular problem with a non-Catholic being principal of the school?

Mrs. Desjardins: After they work there a little while, if they are competent, I do not see any problem with that. I do not think there are going to be that many but it happens and we have always had them in the past without any problems. They seem to have been very happy with the Catholic board and the Catholic board seems to have been very satisfied with them.

Mr. D. S. Cooke: I appreciate the method by which you presented your brief. It is very straightforward, very clear and—

Mrs. Desjardins: Simple.

Mr. D. S. Cooke: Simple. The issue is not simple but—

Mr. Chairman: Simplified.

Mr. D. S. Cooke: Simplified, yes. Thank you very much.

Mr. Chairman: Hardly simple.

Mr. Bernier: I might add my compliments to your presentation. I found it very interesting from a personal view. You touched on a very large number of sensitive areas. One that begs some explanation is your idea that the educational system should be funded from general provincial revenues, removing the tax burden from the local home owner, and you note there is the unpleasant alternative of a healthy tax bill increase. Where would the money come from? It has to come from the people somewhere. If it does not come from municipal tax, it has to come from general revenues. There would be a tax burden somewhere.

Mrs. Desjardins: Yes. I am not in a position to give you details on how this would operate, but when you look at Saskatchewan, Alberta and provinces such as those, is it funded from residential taxes?

Mr. Chairman: It is from both.

Mrs. Desjardins: Then perhaps we would pay it as an income tax or something such as that. Just hire me for a few months and I will work on it and come up with a very economical way of doing it, believe me.

Mr. Bernier: It will be simple and straightforward, as your presentation was.

Mrs. Desjardins: That is right. Just give me the chance. I cannot give you the answers on that. I know at one point I read something about this being done. It had appeal and I think it has merit, but I could not go into that now. I am not knowledgeable enough without doing some research.

Mr. Chairman: The other provinces you mentioned both have lower proportions of the amount of money in education coming from property tax than we have, but they both have that element and one of the reasons is for local autonomy and local boards having a reason to exist. If all the money was provincial, there would be no reason for a trustee because he or she would no longer be elected to look after a local ratepayer's dollars. That is one of the arguments for having some local autonomy and meeting the local needs of schools. Are you suggesting we get rid of the boards, he said, his ears perking up?

Mrs. Desjardins: No, I think there is a place for boards. I think there might be some control on them in spending over ceilings and that kind of thing. Things such as those could be looked at, but I feel that sometimes—and this is not going to be a very popular remark—even in government, some organization a little smaller can do the job a bit more economically than when it gets big.

Mr. Bernier: Have you been a member of a school board?

Mrs. Desjardins: Yes I have, but once you are out, you are a has-been, just as when you are out of any politics.

Mr. Chairman: That is true of some of us even while we are in.

Mr. Offer: I have one short question. You clearly stated that to allow total access to the separate school with a total exclusion would be detrimental to the Catholic system, in your opinion. What about total access still maintaining the form of exemption as it is in the bill right now? Would you see that as being detrimental?

Mrs. Desjardins: The way the bill is now, but—

Mr. Offer: Allowing total access.

Mrs. Desjardins: Because of distance and—

Mr. Offer: Yes, those would be the criteria.

Mrs. Desjardins: I think that is very fair and right.

Mr. Offer: It would not concern you if any student could come to any classes as long as the exemptions as per the bill were in place?

Mrs. Desjardins: I do not think boards are unreasonable. If there was somebody who maybe

could not meet those three criteria, I cannot see them being so unreasonable they would say to somebody, "You have to go 25 miles," when he lives next door. One child is not going to affect the catholicity of the system.

Mr. Chairman: It would be an exceptional child if he or she did.

Mrs. Desjardins: That is right. We should grab that one.

Mr. Chairman: Exactly. That is a great point. Thank you very much for the time you spent with us. It is very good you could come.

Our next presenter is one who has been waiting a long time to come before a committee on this subject. Father Matthews, please come forward. This is item 718.

3:20 p.m.

FATHER CARL MATTHEWS

Father Matthews: That is a hard act to follow. Mrs. Desjardins did a marvellous job.

My name is Father Carl Matthews. You may recall that back on the evening of July 11, when the Minister of Education (Mr. Conway) was beginning his wrapup address to the full House just before Bill 30 was given second reading, he said:

"Separate schools and the politics and history of Ontario, of course, are a subject about which much has been said. I see in the gallery tonight Father Carl Matthews, who, if he were on the floor of this assembly, I am sure could perhaps give us a historical overview that would be most interesting."

That would take more time than your crowded schedule permits, so I will not do that now. Besides, at least the 20th century history was definitively covered by former Premier Davis in his appearance before you last Friday.

I come today simply as an individual who since 1964 has written a couple of hundred articles explaining the need to complete the final seventh of the separate school system. Through the chance of geography I just happen to be uniquely the separate school board trustee for Queen's Park, as the present Minister of Community and Social Services (Mr. Sweeney) noted with a chuckle a few years ago.

In any event, for the record, I do not speak today on behalf of Toronto's Our Lady of Lourdes parish, the Jesuit order, the Metropolitan Separate School Board or the Ontario Separate School Trustees' Association. I do speak as one who has read most of the verbatim transcripts of these hearings during the past two months. As a result, my admiration has grown

greatly for your self-sacrifice, courtesy and perseverance day in and day out throughout this long summer. I hope and pray that the permanent chairman of this committee will be again blessed with good health.

Like the Honourable Mr. Davis last week, I shall now speak without a text. The syntax may take a beating, but, like him, I have something to say that is important to me and to those who speak to me, and for me it can thus be said from the heart.

My headings are these: (1) a general reaction to Bill 30; and (2) possible legislation regarding (a) voluntary transfer of teachers, (b) nondiscrimination in hiring for Catholic schools, (c) access of students and (d) exemption from religious studies. I realize the time available is extremely limited, so I shall keep that in mind.

Concerning my general reaction to Bill 30, I am very pleased with the bill that was presented to the House on July 4. I believe it is a faithful reflection of the statement of the Honourable Mr. Davis on June 12 a year ago. I fully subscribe to the six principles of the bill as enunciated that day by the Minister of Education. As a trustee I was pleased to vote in particular instances for matters that would uphold all six of those principles.

The fifth principle is of special interest to me today and, for the record, I would just like to repeat it although I know it is well known to all of you. The fifth principle is that the distinctive mission of the Roman Catholic separate school system must be maintained. The application of this principle has already been discussed with respect to accessibility. The government sees the completion of funding as a major contribution to preserving the unique mission of the Roman Catholic secondary schools.

We are not beginning a new secondary school system with this bill. For many years the Catholic community in Ontario has operated full high schools with grades 9 and 10 under the separate school board, the students then continuing on in most instances under the same principle in the private school. These students have come out of a constitutionally established separate school system that is part of the public education structure of this province and is covered in the same Education Act as are the general public schools.

Therefore, I think it is always important to realize that what we are talking about now is the completion of the last seventh of the system. I respectfully submit that should be no reason for changing the basic character of the Catholic school system in any respect.

I will now move on to the next major item.

What makes a school Catholic? I would say there are three essential features that distinguish a Catholic school; that distinguishes Madonna High School from Downsview Secondary School, which is just a block away near the corner of Wilson and Keele in North York. I submit those three features are staff, students and program. All three individually and collectively distinguish the Catholic school from the neighbouring public secondary school.

With respect to staff, we come to the question of the voluntary transfer of teachers. I was pleased when reading Hansard over the past several months to see there are many bodies, especially from among the teachers' groups, that have recommended to you that there be some amendment to the bill to provide for the voluntary transfer of teachers. At present, they are really nonpersons as far as the bill is concerned.

However, in many municipalities in Ontario arrangements have been made this past year between the two boards to permit the separate school board to recruit teachers from the public high schools. That is indeed admirable.

That has not been possible in all parts of this province. As you know, in Metropolitan Toronto the public boards are on record here and in public as being diametrically opposed to the principle of this bill. They are in disagreement with all of you, since all of you voted for second reading of the bill. The vote was 117 to one on that evening of July 11. Therefore, because they are opposed to the principle of the bill, they have taken the stance that they had best not co-operate with the coterminous separate school board. I gather it has been largely on the advice of their solicitor in the context of the court case that is being argued this day down the street at the courthouse.

Therefore, there becomes a need to provide in legislation some mechanism for the process of voluntary transfer. If that is provided for, it will do several beneficial things. It will ensure that many of the younger teachers in the public secondary schools will stay in that system, because if the only process is last in-first out, which is the normal process in a collective bargaining agreement, those younger teachers will be the ones who will have to leave the public secondary school system.

At the same time, it will provide the Catholic secondary schools with teachers of some experience. Our staff tends to be quite young. We do need some more senior teachers in our schools and we would welcome them.

3:30 p.m.

It would also provide that many of these younger teachers who are women would be able to stay in the public secondary schools. I notice that several of the teachers' organizations stressed the significance of that point and I concur.

At the same time, provision for voluntary transfer will allow the separate school board to ensure there are teachers coming into our system who want to be there, who share the same ethos as that of the other teachers in the school they will be coming to; that they will not be there out of any sense of compulsion whatever but because they feel they have something to contribute to the entire dimension of that school, which very much includes the dimension of the Catholic faith.

How do I see that process developing? It seems to me that the separate school board would, in the future as in the past, indicate the number of teachers it needs in particular subjects. It would address this primarily to the teachers in the public secondary schools. I do believe, in conformity with the provisions of the minister's statement, that no secondary teacher should be laid off as a result of the completion of the separate school system. Therefore, the separate school board should be prepared to take public secondary teachers first. So it would advertise, and then applicants would come from the public secondary system.

As you know, in any area of the job market there are always more applicants than there are positions. That being so, the board then would have to interview the applicants. Normally you do not hire just a history teacher. You hire a teacher who is able to major in history with a minor in some other subject and, besides that, is the one who is going to coach the girls' basketball team or be the moderator of the debating club or something of that nature in the light of his particular interests and skills. When the principal is hiring, he always hires with that in mind.

Once hired, an oral commitment, that teacher would then notify his current employer before the present date of May 31 in legislation that he will be leaving the board of education at the end of August and transferring to the separate school board. The number of teachers so transferring would then be deducted from the agreed-upon number who would be on the designated list, and the planning and implementation commission is in an ideal place to referee any disputes about the number who would be on that designated list.

That is the way I see the process developing. I think it requires just a small amendment to the bill to provide for the voluntary transfer and to

have those teachers included in the number of those designated. I do hasten to add that I believe—and I understand the separate school boards concur fully—that those voluntary transfers should receive the same rights and privileges with respect to salary, seniority and so forth that persons do under the current provision of the bill for designated teachers.

On the matter of nondiscrimination in hiring for Catholic schools, a year ago at this time the then Minister of Education, Bette Stephenson, gave an exclusive interview to the *London Free Press*. It appeared in that newspaper on September 4, 1984. This is what she said:

"It remains within the power of Catholic boards to decide whether to hire non-Catholics unless there are signs the quality of education is suffering because of a lack of Catholic teachers. Mr. Davis did not make the hiring of non-Catholics for the next 10 years a condition for separate school systems to obtain equal financing."

This is Dr. Stephenson continuing:

"What he was really saying was he was hoping non-Catholic secondary school teachers will be hired by Roman Catholic secondary schools for their programs during the next 10 years because of the fact that he is not sure there will be sufficient Roman Catholic teachers to fill all the necessary positions."

Surely the teacher in the classroom is the vital cog that makes the school Catholic.

Ms. Penny Moss, the vice-chairman of the Metropolitan Toronto School Board, chairman of the Toronto Board of Education, said this, a quotation from the *Globe and Mail* of September 13, 1984:

"I do not understand how you can have a separate school system open to anyone. One of the rationales for Roman Catholic schools is that religious teaching must infuse the entire program and that is also rationale for discriminating about who teaches in it and who studies in it."

The Supreme Court of Canada, as recently as last December 20, addressed the matter of the teachers in Catholic schools and in a unanimous six to nothing judgement, Mr. Justice McIntyre, on behalf of the court, spoke of the essential character of the teacher recruited and teaching in a Catholic school. I would just like to read two sentences of his judgement.

"The Catholic school is different from the public school. In addition to the ordinary academic program, a religious element which determines the true nature and character of the institution is present in a Catholic school. To

carry out the purposes of the school, full effect must be given to this aspect of its nature and teachers are required to observe and comply with the religious standards and to be examples in the manner of their behaviour in the school, so students see in practice the application of the principles of the church on a daily basis and thereby receive what is called a Catholic education." That is a citation from the Supreme Court of Canada.

At the present time approximately three per cent of the teachers in the Catholic high schools of this province are non-Catholic. For comparison purposes, approximately two per cent of the students in the Catholic high schools of this province are non-Catholic, two per cent out of some 80,000 students. So obviously some are being hired for special needs, but they are not many and clearly they are being hired after intensive interviews, the same type of interviews the superintendent or principal would have with any applicant to the school.

That is something quite different from having a statement in legislation that would say the Catholic secondary school may not discriminate on the basis of creed in its hiring practices. As I have read Hansard over the last little while—and it is a new development in the last three weeks or so—I have been concerned that there has been some movement towards such a legislative enactment with respect to the hiring practices of Catholic schools. If such a provision was to be put in the bill, we would no longer have Catholic secondary schools in this province and we would be worse off five years from now than we were five years ago.

3:40 p.m.

On the matter of access of students, I mentioned initially that there are three features that make the school Catholic: staff, students and program. I am speaking for myself. I support the present provision in the bill, subsection 136l(19), in that it provides that if there is room, satisfactory accommodation, in a Catholic secondary school, any non-Catholic applicant who will be a public school supporter will be admitted. But I also support the provision in the bill that emphasizes there has to be room in that school. Therefore, I would not support the deletion of that particular subsection. If it should be deleted, it would change the character of our schools so everyone would have an equal legal right to attend, with all the possible implications of that in the future with respect to program. It seems to me, if one has a right in law to attend, one has a right in law to dictate the program in the

school and to come to the separate school board and object to some feature of the program. I am not just referring to the religious education program; I am referring to the whole spectrum of studies in a Catholic secondary school.

It was just last week when a spokesperson for the Association of Large School Boards in Ontario said that, at first, it was totally opposed to the bill, but that if it is to go forward it wants access to the schools for all students. They want them all to be exempt from religious education and they want all features of possible indoctrination of the Catholic faith removed from other subjects in the secondary program.

We are talking about a Catholic school system, which is just as distinct from the general public school system as are the Jewish schools. They have a special character because of the faith dimension of the teaching staff and the students. I support the bill in that respect as it now stands.

On the matter of exemption from religious studies, I was very interested—as I know you were because you expressed it at the time—in the presentation made on August 1 by the students from the Oshawa-Whitby-Ajax area. They were truly articulate. Some were graduates last year of the Catholic high schools. They were quizzed at length about the question of possible exemption from religious studies for non-Catholic applicants to the schools.

A young man, E. A. Longbotham, said in reply to a question from Mr. Offer: "If a non-Catholic student does not want to take religion, he should not go to a Catholic high school because that is part of the deal in going to a Catholic high school. If you are in a region with three or four public high schools, what is the use of going to a Catholic high school? I understand if you are somewhere very remote and a Catholic high school is the only place you can go, you have no choice, but I do not see any other reason."

You may also recall a response given by the principal of Notre Dame Senior School in Brampton, Lorne Howcroft, who said that in his 31 years of experience in Catholic secondary schools, most of them in administrative posts, he had never had one request from a non-Catholic for exemption from religious studies, that they were pleased to come and to take all facets of the school program, always with the exception of participation in the sacraments, which would not be permitted, as Mr. Davis earlier indicated, by the rules of the church itself. They participated in all aspects of the school program, something that

was really stressed that same month by those students from Durham region.

Similarly, many others have attested to that fact. You will recall the presentations along those lines from eastern Ontario, especially from Ottawa.

I think the bill is good as it stands with respect to the exemption provisions, that those students who come because of geography or necessity of program will be exempted and those students who come entirely by choice may be exempted on request of the separate school board, but the general understanding is they are coming by choice and they are coming to take the entire program. If they were not to take the entire program, they would be different people in that school.

I do not think teenagers like to be considered as different people, isolated from their classmates. For the benefit of all, including the non-Catholic teenagers, I think it is best in the case of voluntary transfers that they take the full program of the school in the future as in the past.

I am going to end my submission by thanking you for the opportunity to appear and by saying to you in some frankness that I am concerned, as I read the possible amendments to Bill 30 that may be forthcoming, in so far as they would change the character of the school system we have long known in this province.

I make my own, the words addressed to the committee by the Catholic Education Foundation of Ontario when they said: "We are confident that you do not expect us to compromise our principles, purpose and philosophy relating to Catholic education. If we were to do so, we would be perceived as being disloyal to our forefathers, faithless to our supporters, false to our conscience and deceptive to future generations."

Mr. Offer: Thank you for the brief. I have a question with respect to your comments under the heading "Nondiscrimination in Hiring." In particular, I think you were alluding to subsection 136l(19) with respect to nondiscrimination on the basis of creed by a Roman Catholic school board against any person designated by the public board.

I would like to get an expansion on that. What is your sense of what this subsection means? It is not a general hiring practice but only with respect to those teachers put on the designated list. I wonder from your comments whether you want that subsection totally removed.

Father Matthews: No. I understand the need for it. I was referring to a possible amendment,

which I thought from reading Hansard during the last two weeks might be coming, that would provide for the total hiring process for Catholic secondary schools to be on the basis of a nondiscrimination clause. That is quite beyond the provision that is in subsection 136l(19).

My support of subsection 136l(19) is always in the context of the voluntary transfers, and I believe there is considerable support for that on the committee.

Mr. Offer: Though you have mentioned the voluntary transfer, it is an amendment that has been proposed to us and that has been widely discussed by all members of the committee in a positive light. As it stands now, it is not with respect to the voluntary transfer but with respect to the designated list. Do you have a problem with that particular subsection affecting not only voluntary transfers but also teachers on the designated list, specifically in the light of Bill 30?

Father Matthews: In most parts of this province this year—I think a pattern has been established for the future—the separate school board has been able to hire voluntary transfers. Therefore, the question of nondiscrimination on the basis of the creed of those who are designated in those places is always put in the context of those whom they are hiring. It is only in Metropolitan Toronto and perhaps one or two other municipalities in Ontario that the voluntary transfer concept has not been put into practice. Therefore, it is really quite a different situation if you do not have any provision for voluntary transfers.

3:50 p.m.

Mr. Offer: I understand what you are saying. However, there is, of course, the possibility that, given the fact that there is an amendment to the bill with respect to voluntary transfer, even with voluntary transfer there will not be enough voluntary transfers and, as such, recourse will have to be made to the designated list as it now stands.

Father Matthews: Good point.

Mr. Offer: With respect to those teachers on the designated list from the public board, do you believe subsection 19 should be applicable to them?

Father Matthews: I anticipate there will be enough volunteers to fill the needs of the Catholic secondary schools. But if there are not enough, then I mention the number that are hired will be deducted from the number on the designated list. The separate school board then would be

required in law to hire the balance in the context of everything that is in this bill, including subsection 19.

Mr. Offer: I hear your answer. Please correct me if I assume incorrectly that it is your intention that in the event there is the requirement of hiring of a teacher from a designated list, that subsection 19 should apply to that teacher?

Father Matthews: After the number of voluntary transfers have been deducted, the balance, if there is a balance, would be hired with subsection 19 in effect.

Mr. Offer: In your opinion, that would not affect the catholicity of the system?

Father Matthews: I do not anticipate there will be very many teachers, if any, left after the volunteers have sought to transfer over to the separate school board.

Mr. Offer: If there were a number of teachers?

Father Matthews: I really do not think there will be many. We have a few now, as I mentioned. Three per cent of the teaching complement in the Catholic secondary schools are not Catholics; so it is not a matter of saying there are none at the present time. There are a few.

There is one teacher of the 1,300 of the Metropolitan Separate School Board, whom we had two years ago under permanent contract for secondary schools, who was a non-Catholic, a teacher who was hired when the school was still private before it came over to the separate school board in 1967.

Five more were taken on this year, non-Catholics, because they were teachers hired some years ago by the private component of the school. They have performed admirably in the school and now they have been given a contract with the separate school board.

We are trying to be very fair about this in protecting the catholicity of our school and school system and at the same time, providing for the needs of the individual teacher.

Mr. Offer: Thank you.

Mr. Allen: I can certainly appreciate that someone who has spent so many years labouring for this particular objective should come before us to tell us of his concerns that we do it right, that we do not compromise the objectives he has had in mind over that long struggle about the nature of the system.

I think you will have noticed that our questioning tends to go in batches and bunches on certain kinds of questions as they occur to us.

They also appear to assume more significance in terms of where we have had our hearings and where we are going next. I think the questions that have concerned us, I suppose increasingly after our hearings in perhaps Kingston, were with the nature of catholicity in the system and what was necessary to maintain it.

I know you appreciate from your own experience that there are many control mechanisms out there in the structure of separate education, even beyond staff, students and program. I am thinking of the assessment base and the governance structure, the school board, all those things. The fact is that the system is overwhelmingly attended in Ontario by Catholic students and taught overwhelmingly, even for Catholic systems in Canada, by Catholic teachers. I think we want to keep all that in the background.

The kind of question I have put to a number of boards recently is one I would like a response to from you. We noted in the Alberta situation there is no Human Rights Code protection specifically with regard to hiring in the Catholic system. I have asked several boards to imagine, if that were not there, would not the normal employer processes of hiring, interviewing and discriminating, in the general sense of the term, among those who were the candidates best qualified to meet the demands of your school in that class or position, leave you with virtually the same level of protection?

Father Matthews: I appreciate your question. You mentioned that in Alberta there is no provision in their Human Rights Code for discrimination in hiring of teachers for their separate schools. However, it was mentioned that by some sort of gentleman's agreement there, the separate school boards are permitted to advertise for and hire only Catholics.

My concern with that, and it is a big one, is that increasingly we live in a society that is very litigation conscious, and gentlemen's agreements as such do not stand up in any court of law. Unless you have some provision in a statute to cite, you cannot win the support of a judge. Once a legal precedent has been established, the doors are then open for teachers to be hired in Catholic schools on the same basis as teachers in public ones.

In effect, that is what has happened in New Brunswick. It has never had any statutes with respect to any provision in their Catholic schools. For some generations that worked well in what they always called a gentleman's agreement. In recent times it has not worked at all. Catholics in New Brunswick, Nova Scotia and Prince Edward

Island have really lost their schools because they never had any law to which they could appeal in a court. Therefore, I think it is vital there be a legislated provision.

Mr. Allen: I appreciate that. In the case of New Brunswick, the right in law the British North America Act provided was lost in 1871. There was not that constitutional strength behind its system. That is different here.

Given that and also the other precedents, one of which you cited, a very notable recent one with respect to the importance accorded in legal precedence to the teaching complement for the maintenance of catholicity in the system, would those not be strong enough to provide the kind of counterweight you need in the case of Ontario?

Father Matthews: In my judgement, no. The legislation should be specific in its terms with respect to the hiring policies of the Catholic school board.

The Vice-Chairman: We are going to have to move on. We are behind.

Mr. Davis: Thank you for coming today and your kind letter to me several weeks ago. I wonder if you could try to answer two quick questions, one philosophical and the other more detailed.

The times are now different from those in the 1800s. The Catholic separate school boards will now have access to public funds and to something to which they desperately wished to have access, the commercial and industrial assessment bases, in a larger proportion than they have now.

4 p.m.

I am talking about a religious community which prides itself on being, as its history shows, one that champions justice, fairness, compassion and compromise throughout its history.

This committee finds itself in a great dilemma, and I wonder whether you would try to comment on the dilemma. The dilemma is this: Within the Catholic community, we find those who articulate positions such as you have articulated today, the concern about the loss of the catholicity of your secondary schools. Throughout this province we have run into others in the Catholic community, one of them being your own cardinal, who have said they do not have great concerns about non-Catholics having complete access, being exempt from religious education or being on teaching staff. In fact, in some jurisdictions they are principals of schools, and in one jurisdiction there is a senior administrator responsible for programs.

How do we as a committee somehow bring those two points of view together as we attempt to rationalize the issues we face with Bill 30?

Father Matthews: I can speak only for myself, as I indicated at the beginning, with the background I bring: some years on a school board, as a member of the board of directors of the Ontario Separate School Trustees' Association, as chairman of its legislative planning committee and as one who studied this matter long before he became a trustee.

I feel we need legislative protections or the school system will be so radically changed as to make it in effect no different from the public school system.

I never thought the day would come when I would quote favourably from an editorial on the school question in the *Toronto Globe and Mail*. It said, in referring to a distinguished former member of this committee, that he has taken a position on school funding that would essentially see the conversion of publicly funded Catholic high schools to secular institutions. That is of grave concern to us. The very fact that the *Globe and Mail*, which has never been a friend of anything in relation to Bill 30 or Mr. Davis's announcement of a year ago, would see this so perceptively, highlights our concern.

Therefore, I have to tell you that both in watching on television and, more often, in reading in *Hansard* the responses of some Catholics to the questions with respect to either hiring or access, I almost say aloud that I am afraid they do not understand the full significance of the questions being posed. When they are asked, for example, "Are you in favour of hiring non-Catholic teachers in the school?" the response almost invariably has been, "We have some non-Catholics, and they are fine." I say, aloud almost, that this is not what is being sought.

The question that is being asked in effect is, "Are you in favour of the same hiring practice for the separate school board as for the public school board?" I think you would get quite a different answer to that question from what you would get when people think only of the one or two non-Catholic teachers who are in their schools now who have got there after intensive interviewing and perhaps after others have been rejected for any number of the reasons for which one does so in hiring. Those who are there now are the cream of the crop, and I do not know how appropriate it is to compare that local situation with what I think the members of the committee are driving at when they ask the question.

The Vice-Chairman: Thank you for coming before the committee. It is obvious from your answers to the questions that you have been following the committee very closely and reading Hansard. You can see how the committee has been shifting back and forth. I hope the final decisions we come to will provide a bill that is acceptable to as many people in this province as possible.

The next presentation is by East Area Schools Together. Mrs. Carter is a member of the executive. It is brief 719.

EAST AREA SCHOOLS TOGETHER

Mrs. Carter: John Frenke, a member of the executive, is with me, as is Brian Wright, a parent from East Area Schools Together. I am reading this speech on behalf of Doug Wilson, chairman of EAST, who cannot be present.

"I requested this opportunity to raise my concerns about Bill 30, An Act to amend the Education Act. However, you cancelled the committee meeting for the evening of August 26, and it was unfortunate that no other time was available before I left for Arctic duties with the Coast Guard.

"Gail Carter, a member of our executive, has offered to read my speech. With the delay, my speech has been discussed and now reflects the opinions of all our executive. Unfortunately, there is no time to arrange a full-scale East Area Schools Together meeting on the subject.

"We wish to speak against the bill for two reasons: (1) Where will the funding be found? (2) Our concerns about the losses in the quality of public education in Ontario.

"A Globe and Mail editorial of August 19, 1985, has statements with which we agree: 'The public school provides a meeting place where children of all races and religions can meet together and get to know each other.... The movement to disintegrate the school system (by extending public financing to Roman Catholic high schools in Ontario's case, and to a wide array of other schools in five other provinces) deserves much more critical examination than it has received.... We are speaking of public money and the public interest, of social policy and the character of the community, of children's rights and the experience of their peers. We are urged to quit the common ground; we demur.'

"I am the chair of East Area Schools Together, an organization that represents approximately 18,000 students, 30,000 parents, more than 1,000 teachers and many junior and secondary schools of all sizes and shapes. In fact, there are

only a few school boards outside Metro that are larger. I personally have been involved in education in Toronto for the past 10 years and have made three presentations to similar provincial committees and several to the Toronto Board of Education.

"This spring we organized, in conjunction with the Toronto board trustees, a large, multilingual parents' meeting where, in many languages, parents told trustees what they wanted in a secondary school education. Later, in the wrapup session, each language group (including Greek, Italian, Chinese, East Indians and English) spoke on the consensus that had been achieved. The majority called for more of the same type of education with additional funds to be placed at the disposal of our board. Not one group called for an increase in the separate school system, though the Catholic trustees were included on the panels and all east end parents were invited to attend.

"The last provincial government has steadily decreased the amount of funding available for education. The present Liberal Treasurer has indicated that there is not any reason to loosen the purse-strings. In fact, the planning and implementation commission last spring, when I attended as part of the Workgroup of Metro Parents, asked when we requested increased public education funding: 'Where would the money come from? The sick or welfare payments?' Now, suddenly, there are additional funds available for a school system that discriminates on behalf of religion.

"One could base a decision to fund full Catholic education on several reasons. (1) It is only fair: The original founding people, who were mostly Catholics, and the English, who were mostly Protestant, should get equal public education funding. (2) Good competition: The public would attend the best schools.

"However, I believe the present government was trapped into the decision by Bill Davis in 1984. Consequently, the separate school system had plans for the implementation in September 1985. Therefore, the Liberals, arriving in power at the last moment, had to rush through a bill in a hurry. I am sure the well-organized opposition to the bill was a complete surprise to them. Hopefully they will listen to some of the points given by various presentations.

4:10 p.m.

"We in EAST are dedicated to the preservation of the public secondary school system in health, strength and excellence, providing high quality education for all the people of Ontario.

"I personally do not wish my school or provincial taxes to be sent to separate school boards. I married a Catholic and promised to bring my children up as Catholics. My only caveat was that they would attend the best schools available.

"In Quebec there was no doubt, even with double the school taxes, the Protestant system was better. Here in Ontario my sons are in one of the many good high schools in the public school system in east Toronto. Luckily also, they will be out of the system before all the flaws from Bill 30 become losses. I believe the Toronto public school system is second to none and our schools in the east are the best of all.

"My group has approached each political party and asked it to answer specific questions which concern different members: (1) on the treatment of minorities' children in the non-Catholic system; (2) on teachers' lifestyles and hiring; (3) what effect this funding will have on public schools; (4) funding other religious groups; and (5) who decides who goes to which school?

"So far, only Richard Allen has arranged a meeting. We would be pleased to hear the other parties' answers. However, these questions only respond to parents' questions and not those of our teaching members. I am sure that they would have many others on promotion and their treatment in the separate school system.

"The submission by the OSSTF contains many relevant questions. I particularly like the way they dealt with the bill, clause by clause, and agree with many of their conclusions, especially the one that additional costs will be significantly higher than originally predicted.

"The Scarborough board trustees told you also that tax losses would be significantly higher than forecast.

"One good point from the bill: it has brought the Metro school boards together in a way which was unthinkable three years ago.

"Where will all the funds come from? From the taxpayer, of course. However, at present there is no way anyone is accountable for this additional separate school funding. The public voted against Bill Davis's version in the last election and will vote against David Peterson's in the next, unless the attitudes of the parties change. The NDP suffered from the loss of one of their largest groups of supporters: teachers.

"Now a question to you, committee members. How many of your colleagues in your parties have declared a conflict of interest on this bill?

"If this bill is proceeded with, you will have created an enmity which will continue to grow.

"Luckily, we now have a multicultural society, which was reflected in the Liberals' opening of the Legislature. Their views will prevail and cause amendments to this bill in the future.

"I call on the education minister to state as a matter of principle that no one will be disadvantaged by this bill and that he has a full commitment to public education; also, more importantly, to explain where the funding for this new commitment will come from.

"My group will continue to monitor the government and the parties to ensure quality education for the public school system. Education is not a dead issue. Today's students will be supporting your committee members' pension payments.

"If you must insist on pushing through a bill against the wishes of the majority of parents in Ontario, please allow for an unlimited phase-in period. Any group which takes public money must always be accountable to the majority. You should be fair and allow equal additional funds to the public school system. If there are no funds available, release the local levy. I am sure the Scarborough trustees who were against it two years ago will now have changed their minds.

"If Protestant parents wish to educate their children in Catholic schools when there is a choice, they should pay both school taxes. However, if Catholics wish to support public education, they should not be penalized. If there are no additional funds available for public education, why are they available for a new commitment?

"If no one will be disadvantaged by this bill, why are there so many organizations speaking out against it?

"Thank you for this opportunity to express my opinions. I only wish I could have spoken for all my organization."

This is from Doug Wilson, chairman of EAST.

The Vice-Chairman: Thank you very much. Are there questions from the committee?

Mr. Allen: It was a pleasure to have a long session with your members and to have an opportunity to go over many of the questions you have put today. I will not try to respond to them again.

The question of where the dollars come from is obviously one that has been asked many times. There is always a general question; that is, what are the resources of the great province of Ontario, how do we deploy them, with what priorities and whether there is any space left.

The answers some of us try to give come from a number of directions. One is to observe that the level of provincial expenditure is below the national average, on a per student basis, and as the portion of gross provincial product that is spent on education.

Different governments have different tax policies. A past government decided to get out of estate and succession taxes. If memory serves me correctly, we could probably cover the annual bill for separate school funding quite handily by going back to estate and succession taxes. I would have no trouble with that.

That is to suggest the kind of answer one might begin to develop and think about in responding to that question.

Can you clarify for me the question you did put, because I am not sure I got all of its significance? Your brief asks how many party members have a conflict of interest with respect to Bill 30. I am not quite sure what is in your mind.

Mrs. Carter: It was in Mr. Wilson's mind, I believe. I suppose he means how many people here would be Catholic and how many people are sending their children to Catholic schools. I do not know if anyone else would have anything to add.

Mr. Allen: We have never polled our membership on those questions, but I would be very doubtful that a majority of our party were Catholic. I am doubtful that a majority of the members of our caucus send their children to separate schools. The likelihood of that, given the statistics of the province, is relatively slight.

The Vice-Chairman: The front-page story in the *Globe and Mail*, when the committee started hearings at the beginning, was the fact that there were no Catholics on the committee whatsoever. That has changed since then.

Mr. Allen: There was a hidden dimension to that I was not aware of.

Mr. Reycraft: I wonder if I could get some clarification on something on the last page of your brief, where you speak of the unlimited phase-in period. I am not sure I understand. I am aware of the 10-year period where protection is provided for teachers in the public system. Is that what you are referring to, or is there something additional?

Mrs. Carter: It is the 10 years.

Mr. Reycraft: Thank you.

The Vice-Chairman: If there are no further questions from the committee, thank you very

much for coming forward. I am sorry we were a bit behind and therefore held you back a bit.

The next presentation is from Robert Katz. Welcome to the committee.

ROBERT KATZ

Mr. Katz: I can recognize that you are not Mr. Johnston.

The Vice-Chairman: That is right. I am the vice-chairman. He has left us for the afternoon.

Mr. Katz: Thank you for having invited me to address the standing committee on social development. I am aware that you have given up your summer holidays to study this issue, and I shall attempt, respectfully, to make my presentation as succinct as I am able. I believe I can offer to you a perspective and a point of view that will point to consequences quite different from those you have heard about to date.

I am adamantly opposed to Bill 30. I am not concerned about better provisions to ensure security of tenure for janitors or further investigations into the short- and long-term costs. I want Bill 30 to be understood as inherently racist and to be defeated by a Legislature that will oppose a discriminatory measure, no matter what the political cost.

4:20 p.m.

As a Canadian Jew, I am concerned about many issues. One of these is assimilation. Ontario's population now stands at 8,534,000 people. Of these, 7,454,000 report that they are Christians; 148,000 report that they are Jews. If my children are to play with Christians, attend school with Christians and watch television programs aimed at Christians, they will have to have a very good knowledge of their own background if they are not to become Christians by default.

Virtually every member of the Jewish community in Ontario is concerned about assimilation. We do not resent our non-Jewish friends and neighbours. Au contraire, it is because Ontario has been so hospitable that Jewish parents must now concern themselves with the possibility of their children becoming assimilated. I have heard that Christians living in Israel frequently experience the same problem in reverse.

Education is an important issue for modern Canadian Jews. The best protection that Jews or any minority religions have against assimilation is education. Some Jewish parents who are concerned about their children's religious education have placed their children in full-time parochial schools. Others, such as myself, have educated our children through programs delivered after school and on Sunday.

Either route can be a financial burden. Tuition in a parochial school can cost \$5,000 a year per child. Last year I spent more than \$1,000 educating my two daughters in a co-operatively run supplementary school. The costs would have been more but for the fact that I spent three years as an unpaid co-ordinator and in turn benefited by the contribution of other parent volunteers.

Having decided to enrol my children in a supplementary school, I must accept a number of costs. I must pay tuition, give up my Sundays and spend a number of nights a week organizing. This is my choice, freely made. I was able to afford tuition this year because I did not take holidays. Although I am not wealthy, I prefer to spend my time and money in this manner. Parents who send their children to full-time parochial schools pay higher tuition. I do not want my children in a parochial school. I value our multicultural society. In any case, I could not afford the tuition.

It is not easy to raise children who are of a minority religion in a largely Christian community. My daughters have many friends who are Roman Catholic. These children do not have to give up two mornings of every weekend; one to worship, another to attend supplementary school. These children do not have to take extra lessons after school so as to learn about their own religion. These children's parents do not have to concern themselves with the need to counteract the effects of a public school system that teaches a religion other than their own.

Today we are discussing a bill that, if promulgated, will increase my taxes—so as to raise \$80 million this year, \$150 million next year—in order to spare the largest single religious denomination in Ontario from having to shoulder any part of the responsibility that is mine. Already, as things stand, Roman Catholics do not have to give up their weekends to take their children to Sunday school. They pay no tuition for kindergarten through grade 10. Roman Catholics in Ontario have less to fear from assimilation than anyone else. Bill 30 requires minorities to pay higher taxes to subsidize Catholic state-supported schools while denying such rights to others.

A fully or a partially funded school system is a privilege. No court has ever ruled that you are required to extend funding through to grade 13. How has the Legislature come to the conclusion that Catholics deserve this privilege while other minorities do not? It is discriminatory for the Ontario Legislature to propose Bill 30 and not to

offer funds for grades 11 through 13 to schools of every other religion.

In 1841 the Day Act was passed by the Ontario government. This act permitted the separate schools of any religion to exist. Two years later the Hincks Act removed this privilege and restricted separate schools to Protestants and Catholics only. Because of the Hincks Act, other minority groups lost their right to state-supported separated schools. The attitude at the time was clear: Ontario was a Christian province; Canada was a Christian country. Minority rights were to be protected so long as the minorities were Christian. Because Roman Catholics were a Christian minority in Upper Canada, they were accorded minority rights. Because Jews and other non-Christian minorities were not considered to be important, their rights were stripped from them.

Both the Liberal Party and the New Democratic Party have issued policy statements on separate school funding. None of these statements even alludes to the possibility that non-Christians too have rights. In 1985 the most pressing argument made for the continuation of Roman Catholic schools, and only Roman Catholic schools, is historical precedent. Because non-Christians were regarded as unimportant in 1843, we have lost our rights forever and must assume the status of inferiors in perpetuity.

It has been argued that section 93 of the British North America Act set in stone the privileges enjoyed by Ontario's Christians. Now in 1985 you are deliberating a bill that would give special privileges over and above those required by section 93 to Roman Catholics for no reason other than that their religion was deemed to have required protection 140 years ago.

For many years I have advocated the principles of affirmative action. Affirmative action allows disadvantaged groups special privileges until they can catch up with the mainstream of our society. Affirmative action for women or visible minorities may be a fair policy in 1985, as both are disadvantaged. But if the disadvantages disappear, so too should the privileges. Bill 30 takes the view that once a privilege is granted, it should become an entitlement. This is not affirmative action. This is the type of argument that white South Africans are using to protect their privileges.

My wife is an Italian immigrant of Jewish extraction. Bill 30 implies that Italian immigrants of Jewish extraction should not have the same rights and privileges as Italian immigrants of Roman Catholic extraction. This is a twisted

view of fair play. The British North America Act did not anticipate either Jewish or Catholic Italian immigrants needing separate schools 118 years later.

Our founding fathers set out to protect the rights and privileges of those French-Canadian and Irish-Canadian Roman Catholics who had separate schools at the union. You are now extending these rights to people whose subsequent immigration to Canada was not imagined by our Constitution. You have no business bestowing privilege on some and not on other immigrants, depending upon their religion.

Although I am presenting this brief as a private citizen, you may be certain that many people share these views. I have a fair number of friends in the Jewish community as well as many others who belong to various minority religions. It would be well worth everyone's time to examine how minority religions will react if you raise the taxes of their members to allow a privilege to only one religion. Many minority religions already run a full-time parochial school system. Those who are too poor almost invariably run supplementary programs. Virtually without exception, minority religions will demand equality. They will ask, "If Catholics can have state funding for grades 11, 12 and 13, why not us as well?"

Even committed public school supporters such as myself will want equality of opportunity. I ask you to consider carefully, have you heard from any minority religion that it supports Bill 30 and will promise never to demand funding for its own schools? Of course not. Equality has been the battle cry of the past decade and will continue to be a potent demand.

I ask those of you from urban ridings to consider how you will defend Bill 30 to Buddhists, Hindus, Moslems, Sikhs and other minorities whom you represent. The argument that the Constitution gives Christians special rights is as unconvincing and immoral as the oft-repeated reminder that all three parties support Bill 30. You will not have an easy time convincing minorities that civil rights have been allocated on a first-come, first-served basis and that those who got there first have all of them forever.

4:30 p.m.

Some of my Jewish friends with children in parochial schools have suggested that I should not raise these issues at this time. "Bob," said one, "be quiet until it passes, and then join us in the demand for equal status." Many other minority religions also feel this way. They know

that once Catholic schools receive full funding, no Legislature will ever dare to remove it. At that time, they can begin to demand equality until the Legislature is compelled to make some concessions.

There are families with as many as five children in a Jewish parochial school. This is a tremendous cost, both to the families and to the Jewish community at large. Many people will view donations to a campaign for equal rights as an investment in their own education's future. If Bill 30 passes, minority religions will not rest until they too are permitted the same rights as you will have given the largest denomination.

A campaign by minorities for full funding of their parochial schools would surely be divisive. Probably it would turn ugly. If a clever person were involved, he would attack the party in power. He would remind people that the Liberal Jack Riddell said a Jew could never be Premier, that the Liberal David Smith said he admired Jim Keegstra, and that the Liberal Party is asking us to pay higher taxes so as to allow one group to maintain special privileges.

Others might be less subtle. Racial and religious groups will be forced to attack the government if they are ever to obtain equal standing with Roman Catholics. Since many members of minority religions also are racially different from the honourable members who will vote on this bill, it is inevitable the battle lines will divide along racial lines. You are hurting our province deeply if you force a racial battle onto our political agenda.

One thing is certain: if Bill 30 passes, minorities will demand equal treatment until they finally get it. It may take two ugly years or 20, but sooner or later a government will have to grant them equality. If you pass Bill 30, you are guaranteeing that eventually Ontario will have a separate school system for every religion that exists.

Let us imagine what might occur if my scenario proves true. What sort of place might Ontario become if this inexorable process is set in motion, with the result that every religion and schism is granted a separate school system of its own? We would have a society in which Baha'i, Buddhist, Hindu, Jewish, Muslim and Sikh schools became a vehicle for the religious, and to some extent racial, segregation of our children. People would immigrate to Ontario and send their children to parochial schools. These children might live in a ghettoized community and never meet anyone of another religion during their childhoods. Multiculturalism could not

survive. Children who came from countries with histories of religious strife would be given no reasons to doubt their ancestral enmities.

My eldest daughter attended an inner-city school in Toronto. She met students of every religion. An astute principal was on guard for any signs of racial, religious or ethnic slurs and fostered a climate of tolerance. Children from around the world came to understand and appreciate other children from very different backgrounds. This type of school will disappear if Bill 30 passes and every religion runs its own parochial school system.

Integration would end if children all went to their own parochial schools. Once the move to such schools began, public ones would wither. Even strong supporters of public schools, such as myself, would move their children to the state-supported parochial schools when they saw the public schools were not of the same standard. This would ensure still further damage to the public schools. Ultimately, various Protestant denominations and groups such as Scientology would also have to be given their own school systems. Finally, public schools would die.

Once every religion and schism was given its own school system, there would be no way to prevent teachers from using the classroom to preach intolerance. In recent years, examples of religious intolerance have been seen in schools in Windsor, Ontario and Eckville, Alberta. In both cases, the issue came to light when parents complained they did not want racist material taught in a classroom. In a society in which people went to their own schools, such scrutiny might never have taken place.

Bill 30 is not simply a proposal to extend Catholic separate schools through to a conclusion. It is the first step in a chain of events that will ensure that separate schools for all become a major issue for many years to come. It may signal the beginning of the end of the public school system as we know it. It may become the trigger which sets in motion an enormous social change.

There is a tragic irony in the reaction Ontarians have had to Premier Davis's announcement of June 12, 1984. It would have been widely applauded by minority group members and civil libertarians alike had such a policy been presented in 1925, or even in 1955. However, Ontario has changed over the last 60 years and legislation which might have been reasonable in 1925 has no place in the multicultural society of 1985. Members of the provincial parliament have earned the contempt, rather than the praise, of people in every minority religion and the

staunch opposition of the Canadian Civil Liberties Association.

In 1925, Bill 30 might have been seen as a courageous attempt at affirmative action. In 1985, it is an unnecessary exercise in religious discrimination. It is not too late to stop this process. If Bill 30 is defeated, minorities groups will see that there is no further room for expansion of state-supported separate schools. We would not want to play the spoilers and so the anachronism of one and only one religion having a partially funded system could continue.

It is only if you extend the separate system for one group and not for others that problems will surely follow. Please do not preside over the destruction of a school system that serves well our multicultural society.

The Vice-Chairman: Thank you very much. I do not know of the incident that you are referring to in my own community, although I know of the incident in Eckville.

Mr. Katz: In Windsor, Ontario, there was a Jewish father who enrolled his son in a separate school because the separate school was the only one that taught French.

The Vice-Chairman: I know of that.

Mr. Katz: I do not know if you are aware that the Canadian Holocaust Remembrance Committee has been granted standing in the Court of Appeal to present a brief. They found that the textual material being taught at the time still referred to unconverted Jews as problems. I recognize Vatican III has changed this, but apparently the text preceded Vatican III. This came to light as the result of action by a parent in the school. I think it was an extremely disgraceful incident, and I was pleased with the reaction of the Catholic community in quickly purging that problem.

Mr. Offer: Mr. Katz, I have listened to your brief, and the wording that you use, "the inherently racist" and "the ugly" and words of this nature. What I would like to get is your view, as to the referral to the Court of Appeal with respect to this very question, regarding the constitutionality of the implementation of full funding and the extension of it. It seems it was loudly lacking in your brief. I am wondering if there was any particular reason for that.

Mr. Katz: Yes, there was. I have been granted standing, as you may be aware, to appear before the Court of Appeal. I will be presenting a brief that argues primarily the legality. I was not concerned with the legality as I appeared before this committee, because I think the one thing

absolutely clear legally—which is a part of arguments the Attorney General has been presenting—is that although the Tiny township ruling stated Ontario is not required to give a fully funded system, nothing in the ruling prevents Ontario from doing so if it wishes to.

I do not know whether that is true or not, because I have not studied the Tiny township case well enough. However, this is what the Attorney General has stated in his factum. I point out to you that there is absolutely no legislation and no precedent in any court that requires you to pass this bill.

4:40 p.m.

We would have a very different system if the court ruled in his favour, if it had gone the other way, or if the Attorney General had not been elected and continued as an attorney instead to present his argument to the court under the Charter of Rights for equality of the Catholic system. However, there has been no ruling in favour of that position. The Legislature has rather perniciously, in my view, selected one religion for a fully funded system at the expense of every other religion.

Mr. Offer: That religion is indicated under the British North America Act of 1867, so that is not—

Mr. Katz: Actually, it is not named in subsection 93(1). As I pointed out in my brief, what is noted in subsection 93(1) is that those religions that have a separate school system may continue to run it. It is very interesting that because Jews used to have that right and lost the right, this committee is saying: “You have lost it forever. Rights come on a first-come-first-serve basis. Since they had that right in 1867 and you did not, they continue to have that right and you continue not to have it.”

I do not understand what 1867 has to do with your decision to extend funding. I could understand what it has to do with your decision to continue to fund, but what it has to do with your decision to extend funding is beyond me. It is not the position Mr. Scott has been advocating in his factum, which I have read very thoroughly.

Mr. Offer: With respect to the referral to the Court of Appeal, as I understand it, you do have standing as an intervenor. I imagine you will be making your legal arguments in due course.

Mr. Katz: Yes.

Mr. Offer: With respect to your concern about the potential divisiveness of this extension, I wonder if you might be able to indicate why there has not been any divisiveness with the

present funding of the separate system up to and including grade 10.

Mr. Katz: I can accept a nonconforming use, and since the Catholics have always had the right to a partially funded school system, it would be very nasty if people, such as myself, kicked that school system in. I would not do that. I would not raise the challenge to the right of Roman Catholics to continue to operate a system that they have operated since Confederation.

My concern is that when you give something over and above that right to them and deny that right to me, then you are taking money out of my pocket to pay for special rights for somebody else. I have no qualms about the rights of people to operate a system that has been serving them very well for many years.

I have read in Hansard some of the arguments in favour of their school system. I am not challenging their rights to operate a system they have had for all these years.

Mr. Offer: It is not the—

The Vice-Chairman: I am not sure that either of you are going to change each other's minds, so—

Mr. Katz: But I changed your view.

The Vice-Chairman: I know you tried. You are doing a good job of trying.

Do you have another question, Mr. Offer? If not, Mr. Allen has a question.

Mr. Offer: I will defer to Mr. Allen.

Mr. Allen: I was interested that you had heard no reasons, other than historical precedent, for doing this. I presume you must have heard at least some of the arguments that some of us have made to the effect that we read 1867 differently in some cases; we read an obligation. Does your own reading of the Attorney General's factum not make it quite plain that while he is not asking whether there is any obligation, none the less all his pre-1867 documentation makes it quite plain that from his point of view there is?

Mr. Katz: No. That is one of his alternatives. His basic argument in the factum, as I have read it—and I do not claim to have more expertise in this than you do, sir—is that even though the township of Tiny case says we are not obliged to, we still have the prerogative to do so.

Mr. Allen: Yes. That is the argument he makes with respect to Tiny, and that is quite true of Tiny. However, it is not true of all the documentation with which he supports the case, and which does make the other argument.

Mr. Katz: To accept that argument, we would have to assume that the Ontario Court of Appeal

might overrule the Privy Council of Great Britain on Tiny.

Mr. Allen: It could easily happen.

Mr. Katz: I do not think Mr. Scott expects it.

Mr. Allen: In any case, have you heard the arguments that have been given from the point of view of education and educational consistency, involving the right of parental minorities, in relation to the public provision of education, and the need and right of children to expect to be educated in a consistent system which does not suddenly drop them off the end at grade 10?

Mr. Katz: Yes, I have. What I do not understand about them—where I am lost with those arguments—is why they apply to Roman Catholics and nobody else. For example, I have a number of Jewish friends who paid tuition to put their children into parochial schools, then ran out of money and had to withdraw their kids, even though they were quite happy with the program. I do not see why this continuity is so important for Catholics and not important for anybody else.

This is the problem I have had with this bill from the start. No one has explained to me what is special about Catholics, but unimportant about other religions, and what entitles them to special rights of continuity.

Mr. Allen: I think that would be reading into what we are doing. The historic and the constitutional elements come together, whether the historic or constitutional argument has any morality in it at all, and the need of children in an existing system that is constitutionally grounded to have a consistent education. Educational experience is why it is being done now.

I do not think that presumes the question of how one responds, for example, to the Shapiro commission, or how one reacts to the larger question. Nobody has ever accused the British parliamentary system of being overwhelmingly rational or logical in the way things happen. In that sense, one does see development by precedent, then by case, and so on. The questions of liberties and rights evolve from that. Do you not see something in that train of argument, at least in the legal sense, that has some validity?

Mr. Katz: I can see that. That is the argument I am following, that the moment you extend the rights of Bill 30 you will be stuck. Politically, ethically, and—I suspect from reading most of the factums of the intervenors against Bill 30—legally, you will have to give these rights to everybody else. Bill 30 will only be legal if the same rights are accorded to everybody else. That is the worst case possible for Ontario.

The last thing I want is to have Jewish kids enrol in a Jewish school and never learn about Polish kids, or to have Polish kids enrol in a Catholic, Protestant or any other religious school and never learn about Jewish kids. All the enmities that have taken place over the years in Poland would then be exacerbated, because a child of one religion never comes face to face with a child of the other religion. They never see each other in school.

That is exactly what I fear. It is the worst thing that could possibly occur in Ontario, especially in the multicultural province that now exists.

The Vice-Chairman: I am not sure either one of you is going to convince the other. Your brief is very clear. Obviously, there are some differences of opinion between some members of the committee and you in regard to what history and the Constitution mean in terms of the Catholic school system.

If I could, I would like to wrap it up with one more presentation. We are running behind.

Mr. Katz: I would like to thank you very much and to thank the committee members, with whom I strongly disagree, for their interest.

The Vice-Chairman: Thank you very much.

Mr. Allen: A very forceful brief.

The Vice-Chairman: Yes. Now we have Professor Novak with brief 721. Welcome to the committee.

4:50 p.m.

DR. J. A. NOVAK

Dr. Novak: First, I would like to apologize to the committee for the format of this presentation. I had hoped to present something more organized and detailed, but my professional duties over the last month have made this impossible.

It is with considerable reluctance that I address this committee, but I feel there are aspects of the separate school funding issue that have not been considered and that are of vital importance for the teachers and students of this province, especially those in the Catholic schools.

Having been raised as a Polish Roman Catholic, having attended Catholic institutions of learning from primary school through my PhD, having spent time in a seminary, having taught at a Catholic college and having taught seminar-ians, some of whom are priests today, I feel obliged to express my opposition to the extension of funding to separate schools.

1. The extension of funding will have adverse effects on teachers' personal lives. Recent reports in the media have made it quite clear that

teachers in the separate school system are subject to dismissal should they violate the moral code of the Roman church.

The Toronto Star of December 21, 1984, reported the case of a school teacher in Vancouver who lost her job because she married a man who was divorced. The High Court in Ottawa maintained that since she was employed by a Roman church school, the Human Rights Code could not be considered violated in her case. In that same report, Mr. J. Duffy of the Ontario separate schools asserted that teachers could be fired for denominational causes covering such a case as this.

The difficulties involved in the breakdown of a marriage are significant enough without adding to them the potential loss of employment by a spouse. Moreover, it is not difficult to imagine this type of discriminatory attitude extending to cases of divorce, or even separation pure and simple. Indeed, the Roman church in the past discriminated against the children of separated parents.

The celibate bishops of the Roman church who so willingly criticize what they perceive to be the callousness of the Canadian government vis-à-vis the social problems of its citizens, themselves show no concern for personal heartbreak and tragedy in the lives of the members of the teaching staff in their institutions.

2. The extension of funding will have adverse effects on freedom in teaching and in inquiry. Anyone familiar with ecclesiastical history realizes that the Roman church most probably deserves the citation as the most backward and authoritarian of any major religious denomination that administers an educational system.

It was only within the last 20 years that the index of forbidden books was abolished. It was a list containing the titles of works written by great thinkers and which are generally regarded as the most significant products of the intellectual world. Not only the index but also the old code of canon law, numbers 1385 to 1405, trampled upon the rights of teachers and researchers. The new code of canon law, numbers 824 to 832, is hardly much of an improvement.

However, prohibitions applied not only to written material, but also to other sources of information. I recall as a grade school student that we were enjoined from the pulpit by the priest, acting on orders of the bishop, and from the blackboard by the nun not to watch a television movie on Martin Luther. I watched it anyway. The day after the broadcast the students were asked who had viewed the film. Two hands

went up in the classroom, my hand and the hand of the lowest achiever in the class. We were both asked to rise and solemnly scolded for our disobedience.

I recall a distinguished German professor from my graduate days who was threatened with dismissal by a Catholic university for teaching Immanuel Kant to 20-year-old students. I was told of a colleague of mine, a teacher nun, who would check out of the college library a book she considered pornographic so students would not read it. Something by D. H. Lawrence was checked out for five years. Given the extraordinarily regressive mentality of Karol Wojtyla, administrator chief of the Roman church, one cannot laughingly refer to these events as the good old days.

The newspapers are filled with reports of moves against university staff, for instance, Professors Kung and Schillebeeckx in the past, because their opinions do not conform to what some in the Vatican judge to be correct. The present code of common law, number 810, section 1, which was recently promulgated, is effectively a *carte blanche* for dismissal. The text says professors can be dismissed for "*doctrinae integritate et vitae probitate*," that is, integrity of doctrine and probity of life. The codes applying to schools would justify similar action on the part of church authorities, that is, canons 800 and 803 to 805, at the level of primary education.

This regimentation of teaching from on high is something that cannot, in a Catholic institution, be restricted to a certain domain. The case of Galileo shows that an issue of astronomy was thought to fall under the jurisdiction of Rome. As far as I know, Catholics are still technically obliged to believe that the earth is the centre of the universe. The Galileo case is still being reconsidered by the Vatican.

Presumably a Catholic teacher, or a teacher in the Catholic school system, could not give any judgement either on the astronomical side of the question if he were a physicist or on the historical side of the question if he were an historian. The Waterloo county Catholic schools seem to endorse this close connection between religion and other disciplines. In a statement on page 88 of a report, *Progress '85*, as reported in the Kitchener-Waterloo Record last May, they assert, "Religious education is not only taught as a subject but is integrated throughout the curriculum."

Such an approach instils two false attitudes in students: First, that there is an infallible world vision which can be provided by some organiza-

tion, institution or human person; second, that one's own investigative powers are secondary to the decision of some church official.

A number of scenarios can easily be depicted in which serious difficulties will arise for the teaching staff of such publicly funded Catholic institutions. Consider, for instance, the case of a social science instructor who, in speaking of primitive tribes in modern society, begins to classify the various types of relationships that were or are considered taboo or undesirable.

If, after defining such things as incest, adultery, etc., he should make a casual remark, "Only a fool would think that a man can commit adultery with his own wife; adultery is an illicit relationship a married man has with another woman," would he be forced to retract his statement on becoming aware of Mr. Wojtyla's well-publicized remark in which he maintained that a man could commit adultery with his own wife?

Would he be obliged to revise his classification scheme? Would he be forced to tell his students that he was wrong? Consider the case of an instructor who disagreed with the Canadian bishops' statement on the economy, thinking that its socialist bent would be of disservice to all concerned, both in this country and abroad. Could he voice his dissent? Could he say the bishops are wrong?

3. The extension of funding can lead to adverse effects on the structure of education. This point could be developed in different ways. However, I wish to consider only one issue here, namely, the inequality of treatment of students that might arise as a result of the funding. It should be well known that in its classic statement on Catholic education—Pius XI, in *Rappresentanti in terra*, 1929—the Roman church condemned co-education. In paragraph 68 of that work one reads, "False also and harmful to Christian education is the so-called method of 'co-education.'"

5 p.m.

The piece then goes on to argue that there is an inequality in the sexes which ought to be maintained in the educational system. After maintaining that God made things in this way, it adds, "Besides there is not in nature itself, which fashions the two quite different in organism, in temperament, in abilities, anything to suggest that there can be or ought to be promiscuity"—not in a sexual sense, but in the sense of associations—"and much less equality, in the training of the two sexes."

Now one might argue that this is an old document and has been superseded by others which are more recent, especially one issued during the Vatican Council. However, policy in the Roman church hangs on which direction the papal mitre nods. Should the current chief administrator decree that children be segregated on the basis of sex in their educational process, then so will it be done through the Roman church. This scenario is not far-fetched, since permission has been withdrawn for girls to be altar attendants.

Moreover, the bishops are scheduled to meet in a synod in Rome within the next few months to "review" policies which came in under the so-called "renewal" after the Vatican II Council. It is widely rumored that the intent of the meeting, or the intention of Mr. Wojtyla in calling the meeting, is to return the organization to many of its pre-1960 policies.

Whether individual bishops disagree with this is irrelevant; the synods always proceed much in the manner of the Supreme Soviet—there is unanimous approval of whatever policy is handed from on high. Such a policy would give rise to a profound inequality in the education of children in Ontario.

4. The extension of funding will have adverse effects on the personal relationships of those in the school system. This point includes three items: the relationship of teacher to teacher; that of teacher to student; and that of student to student.

First, the teacher-teacher relationships will be harmed. Teachers will not be free to express to their colleagues any opinions which might be seen to conflict with Roman Catholic teaching. As was noted above, the domain of Roman Catholic teaching is quite large, covering the entire curriculum and extending beyond this even into personal matters.

Consider, for instance, the Roman church attitude toward birth control. Not only is it impossible for any teacher to advocate this in the classroom—this would fall under point two—but it would be prohibited for any teacher to speak to another teacher of the use of birth control or the advocacy of it. Moreover, it would even be impossible for a married teacher, a parent, to speak of the size of his or her family in the way that Prime Minister Mulroney did at the birth of his recent child, when he said, "This will be our last child."

Second, the teacher-student relationship will be harmed. It is known to me and probably well-known that many Roman Catholic teachers

have no spiritual or religious commitment in their personal lives. They find themselves in a position of hypocrisy, officially representing a religious institution—or perhaps, to state it more accurately, made to represent a religious institution—in their teaching role while privately disbelieving what it stands for.

Contrary to the thinking of many adults, it is the case that young people are extremely perceptive when it comes to matters of honesty and dishonesty. Students can quickly detect the falsity in such a situation and rather than relating to a teacher with trust—which is the keystone of any teacher-student relationship—they will come to regard such a person only with contempt.

Third, the student-student relationship will be harmed. It is a pity to see students sundered from other students on the basis of religion. I recall my school days when the world was presented to us as divided between Catholics and non-Catholics and we who were Catholics always referred to others “not of the faith” as “them.” One was always advised not to get too close to “them.” Social contacts were allowed but were to be carefully watched.

I recall my more recent stay out west in a town where there were two Ukrainian meat markets on opposite sides of the same street. The Ukrainian Catholics made their purchases at one, while the Ukrainian Orthodox made their purchases at the other. Such practices get started in childhood and are only reinforced by a double school system. Once again, this is not a story from the good old days; a Catholic bishop recently encouraged Catholics to patronize Catholic businesses—especially those that were supportive of the separate system. This type of separatism is hardly needed in Canada.

5. The extension of funding will have adverse effects on the spirit of education. The essence of Catholicism lies in the subordination of one's person to the control of a hierarchy of clerical persons with a man known as the “Pope” standing at the top of that hierarchy. Catholic education instills this subordination as a value which is to be cherished. This attitude is fundamentally in conflict with the idea of education itself.

To educate a person is to instill in him or her an appreciation of that person's own critical abilities not only in a particular area but also in the domain of life as a whole. To educate a person is to give him a sense of his independence and worth in a community of other persons, of his ability to see beyond the limited ideas that govern a society at any given time, and of the value of his critical

articulation of new expressions of the truth which will be of benefit to all.

An attitude which basically destroys one's self-esteem is not one that the Ontario government should be supporting. On September 13, in the *Globe and Mail*, there was a report on the reaction of some Catholics to a controversial film being shown in Toronto. The article quotes one French-Canadian Catholic saying: “There is no question if the film is right or wrong...The Holy Father has pronounced himself. It's wrong.”

Over the last five years, Canadians have been presented with the spectacle of a Prime Minister kneeling to the Vatican administrator, despite the fact that Paul the Apostle writes, in Ephesians 3:14, “I bend my knees before the Father (of our Lord Jesus Christ.)” More recently Canadians witnessed the Governor General refer to that same man as “(Most) Holy Father,” a title which Jesus reserves for His Father alone, warning, in Matthew 23:9, “Call no man on earth your father, for one is your Father in heaven.”

These are not idle theological niceties. They relate to the self-respect a man has or does not have of himself. Immanuel Kant, the German philosopher of the 18th and 19th century, notes in his *Metaphysics of Morals*: “Self-esteem is a duty of man to himself...By virtue of this worth we are not for sale at any price and possess an inalienable dignity which instills in us reverence for ourselves...Kneeling down or prostrating oneself on the ground, even as an outward sign of veneration for holy things, is contrary to the dignity of humanity...”

He concludes by noting that if a man fails in this regard, he deserves the consequences. “One who makes himself a worm cannot complain if people step on him.”

No doubt some will think that assurances can be provided by the separate school boards that none of the undesirable consequences raised above would occur. However, the Ontario separate school boards are in no position to provide guarantees. The Roman organization follows commands from the top; no subordinate is in a position to provide any assurances that do not originate at the top.

My conclusion should be obvious. The extension of funding raises so many difficulties that legislation to that effect should be postponed until they are resolved—if they ever can be resolved. In addition to all the more detailed problems this committee has faced, there is the fundamental problem of what Catholic education is and of the deleterious effects its basic outlook engenders.

My thanks for your attention.

5:10 p.m.

The Vice-Chairman: Are there questions from the committee?

I might just make one comment. I have had a lot of experience with the separate school system as well. I was not a student, but most of my friends were when I was growing up. I really do not believe your brief reflects at all the reality of the Ontario Catholic school system in Ontario, as it operates. Everyone is entitled to his or her own opinion. However, I do not believe that the tenor of your brief reflects the reality of how the system is run in Ontario whatsoever. We do appreciate the fact that you have come forward; everyone has the right to present his or her views. I thank you, on behalf of the committee.

Mr. Allen: Mr. Chairman, I wonder if it would be worth asking Dr. Novak whether he could give us some of his own past history. I appreciate he may not have told us everything. Do you teach at one of the universities in the Waterloo area?

Dr. Novak: At the University of Waterloo.

Mr. Allen: The University of Waterloo. Can I judge by your references to Immanuel Kant that you teach in the philosophy department?

Dr. Novak: I do, indeed.

Mr. Allen: Do you have some direct association with the separate school system itself? Have you had children in it, in very recent years in Ontario?

Dr. Novak: No, I have not. I am not speaking with regard to some of the particular problems you are facing—as I may have indicated indirectly in my conclusion—but with respect to the more basic issues; one of which was raised earlier this afternoon regarding the nature of catholicity, and how that affects education. I wish to address those questions, which I think are extremely important. Admittedly, questions of funding are not minor. However, the questions of why one has two systems, what the identity of the Catholic system is, and by what criteria teachers and students in a Catholic system are judged, are the ones I wish to pose.

It might be that in the everyday running of the provincial institution, at least up to the moment, there have been no problems in this area. I cannot speak about those matters, especially here in Toronto. However, what I am addressing are these basic questions of criteria and standards. I am invoking, to the best of my ability, the

position of the Roman church and its own codes of law, which regulate its running in many areas.

Mr. Allen: You have developed a number of documentary references for us which are certain to be looked at, with regard to their own validity and value. I think they are significant. What many of the Catholic parents who have children in the system, have often said to us, with regard to the nature of Catholic education in Ontario, is that the educational world is a radically different place from the system which was generated by the kinds of documentary references you frequently use.

While none of us can prejudge the direction of a given probe, or the solidity of the Catholic community in the future, it is very diverse and not as monolithic as one suggests and, indeed, not as monolithic as you suggest here. There have been positions gained, and a new spirit won, which will be very difficult for a given Pope to retrieve in Ontario and in Canada—looking at some of the curriculae that I see, certainly.

Dr. Novak: Yes. I think you underestimate his abilities in that regard. May I make a remark about it? It is true that I do not deal at the level of high school students. However, I get students in every year. The other evening, in my philosophy class, there was a question we were discussing in Greek philosophy. We were talking about the nature of the soul as it was raised in Plato's Dialogues. One of the students responded, "Well, you believe such and such," and basically presented Catholic doctrine. I asked: "Do you accept that? Do you yourself believe that?" He said, "Well, that is what I am indoctrinated in, so that is what I accept."

It is that basic attitude that remains consistent. I found, year after year, that students are not taught to think fruitfully about what religious beliefs have been proposed to them, in such a religious set up. They come simply with a sense of indoctrination. That is a very wrong thing, especially as the basic attitudes, which I have indicated here and which are still prevalent, are inculcated by the Roman Church. If one is to guard the catholicity of the system, so to speak, then one has to speak in these terms. Otherwise one does have a secular system or a purely public system, as was raised earlier this afternoon by one of the speakers who was addressing that.

The Vice-Chairman: Thank you very much, Professor Novak. The committee will reconvene at 7:30 sharp.

The committee recessed at 5:15 p.m.

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No. S-54

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, September 26, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)

Allen, R. (Hamilton West NDP)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, September 26, 1985

The committee met at 7:35 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Acting Chairman (Mr. Allen): We will get on with the evening's business, if the committee will come to order. We have representatives from each of the caucuses present. The presenters should please identify themselves clearly into the microphone, so that we will have a record of your names, and then proceed to present their brief in whichever way they feel most comfortable.

I believe the brief is exhibit 722, a presentation to the social development committee, submitted by Mrs. Vivian Malouin.

Mrs. Malouin: To my left is Ernie Malouin, my husband of 41 years. We have six children and six grandchildren so far.

Mr. Jackson: Six children so far or six grandchildren?

Mrs. Malouin: Both.

The Acting Chairman: And on your right and on your far left?

Mrs. Malouin: They are making presentations later on. Do you want to introduce yourselves?

Mr. Kelly: My name is Brian Kelly from Fort Erie.

Mrs. Young: Ann-Marie Young from Niagara Falls.

Mrs. Malouin: We thought we would fill up the chairs here.

The Acting Chairman: Good idea. It makes us feel more cosy.

ST. CATHARINES DIOCESAN COUNCIL CATHOLIC WOMEN'S LEAGUE OF CANADA

Mrs. Malouin: The St. Catharines Diocesan Council of the Catholic Women's League of Canada has a membership of more than 4,000 women, most of whom are Catholic, married and have families. We make this presentation because we feel that parents are the first teachers and that school is an extension of the home.

Keeping our families together is an important priority with us.

We support and agree with the contents of Bill 30, regarding the provision of secondary school education by Ontario separate school boards. We commend the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario for the manner in which it has handled the processing of board plans, dealing with the completion of Catholic secondary schools. We commend the Minister of Education (Mr. Conway) and the government for the six principles that provide the basis for the proposals embodied in Bill 30.

The constitutional base for funding Catholic schools is provided for in the British North America Act, section 93. This granted to the provinces the exclusive right to legislate in the field of education. It states further: "Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class or persons have by law in the province at the union." This is reaffirmed in the new Canadian Constitution of 1982.

We leave the implementation of these changes in the capable hands of our school boards, with the hope that co-operation between the boards will be done in an atmosphere of consideration, sensitivity and goodwill. The two separate school boards' plans for completion in our area include a guarantee to hire all secondary school teachers, Catholic or non-Catholic, and support staff displaced from the two public school boards in the jurisdiction of the St. Catharines diocese, as a result of enrolment shift due to this change.

They also subscribe to the commission criteria that permanent or probationary contract status, salary and seniority be transferred with the employee. We would also support the inclusion of additional criteria, such as the transfer of sick-leave credits and other fringe benefits that may provide added security for the persons transferred.

We hope our boards use their creative and imaginative talents to deal with any frictions or other problems that may arise. In doing research for this presentation, I met with the separate school board members and got to know them. I

feel confident they will keep in mind the welfare of students as well as teachers.

The public and separate school boards have established joint liaison committees to deal with pertinent matters. The guiding principles of their consultative process will be and have been fairness and equity.

The separate school system exists as part of the publicly funded system to the end of grade 10. This is a reality. Another reality is that education has changed since the union and now it does not seem logical to draw the line at the end of grade 10 and deny our children program opportunities offered in the public secondary schools.

Bill 30 recognizes that a basic education requires a secondary as well as elementary education for all Ontario students, and provides the means by which this may be accomplished. The 433,000 separate school students have a right to a complete basic education in the system they have become used to and should not have to adjust to another. The teen years are difficult enough without the added stress of changing schools.

Educators have discovered that young people are best taught with a model, which comes as no surprise to mothers. I can say that because I am a granny. Young people need a model—hero or heroine, if you will. The influence of the Beatles on a whole generation is a reminder of that. Our children are taught with a defined set of values.

The CWL works for the betterment of social action, the stimulation of effort in all lines of women's work, and gives unremitting support to the formation of enlightened public opinion. We have proven these ideals by presenting to governments a wide range of briefs on such subjects as pornography, environment, human rights, listing of food additives, and drug and alcohol abuse, to name a few.

League members are involved in hundreds of hours of volunteer work in church, school and community. The goal of the CWL is to develop the whole woman, as well as to serve, just as the goal of Catholic education is to develop the whole person. God made us to use our talents to the fullest with our powers of mind, body and soul in the pursuit of truth as set forth in the gospel of Jesus Christ. You have received many presentations for and against full funding. I guess you can take a little preaching. I understand you had some preaching the other evening.

Catholic people across the province have demonstrated their conviction on the importance of Catholic secondary schools. We feel the

number of new Catholic schools in the past decade is proof of this conviction.

The passage of Bill 30 will be an historic occasion for Ontario. We hope this century-old issue will be finally laid to rest with justice and accepted by all sides throughout the province. The concept of parallel education systems can be a tribute to our communities and province.

It will also be similar to the systems in four other provinces—Quebec, Alberta, Newfoundland and Saskatchewan—which show no evidence of divisiveness. This co-operation seems to be working in Newfoundland. When I attended a CWL convention a year ago, the Salvation Army band played at one of our masses. That would have been unheard of a few years ago.

Surely if these provinces see the merit of supporting two parallel school systems, there is no reason why Ontario, one of the wealthiest provinces of Canada, cannot practise what is just and fair for our children. I cannot imagine a more fitting way to celebrate the International Year of the Youth than by the implementation of full funding and the assurance of equal opportunity for all our youth.

I wish this committee well in its future deliberations.

The Vice-Chairman: It would be a fitting way to end the International Year of the Youth. I am just not sure we are going to get there this year.

Mr. Jackson: Since the three deputants in front of us have—

Mrs. Malouin: There are just two of us answering these questions.

Mr. Jackson: I am sorry; that is right. Perhaps we could hear all three and then ask questions in that manner, since they have a common theme. Would that be all right with the committee?

The Vice-Chairman: Is that how you wanted to proceed or did you want to do it separately?

Mrs. Young: Mr. Chairman and members of the committee, the introduction of Bill 30 to the Legislature is a momentous occasion for all who have been involved in separate school education throughout the year. Having been personally involved on three planes: initially as a student, then as a teacher and now doing double duty as teacher and parent, it is a privilege to be give the opportunity to respond to this committee.

Understanding that the relationship between law and morals is a perennial problem in our society with its constantly changing social, economic and technological and political condi-

tions, our government is to be applauded for its decision to grant full funding to the separate secondary schools and on forming this committee to listen and react to legitimate concerns from all parties.

It is a particularly difficult problem in our society, in which larger groups of people sincerely differ, theologically and philosophically, about the fairness of many institutions and actions and the proper public policy of the government concerning them. The response to this committee so far attests to this fact.

The constitutional aspects of the bill are of a legal nature that are being dealt with through the courts by lawyers who are well versed with regard to the rights and wrongs according to our laws. However, this brief will deal with the spirit embodied in Bill 30 in regard to the fair and equal treatment of all parties affected, especially students, teachers, support staff and parents—in other words, the public.

Before elaborating on specific points in relation to those affected, I would like to make very clear that in responding to this bill we are not dealing with the inception of separate school systems, either elementary or secondary, as sometimes perceived by the public. These systems, as in my own community, have been an ongoing integral part of our society and fully recognized by the Ministry of Education and accredited institutions.

Rather, we are concerned with grades 9 and 10 receiving full secondary school funding in lieu of weighting factors granted in 1978 and the continuation of full funding for grades 11, 12 and 13, to be phased in over a period of one grade level per school year, retroactive to September 1985.

In dealing with students, the announcement made by the former Premier William Davis and supported by both the Liberal Party and the New Democratic Party opened a door which to this point had been closed to many students seeking secondary school education in a Catholic school.

Approximately one third of all students of elementary school age are educated in fully funded separate school systems. These numbers attest to the fact that the parents of these children, when able to make a choice between two publicly funded school systems for their children, chose a system which incorporates a Catholic perspective throughout the school community.

By grade 8, many of these children are included in the decision-making as to which school they wish to attend at the secondary level. Unfortunately, in the past this process has been

severely hindered due to ability to pay becoming a prime factor.

Although grades 9 and 10 would not require tuition fees, students have to be aware that two years down the road they will have to be paid. Of those who have waited until the end of grade 10 to address this problem, many have then been faced with the only alternative of changing schools midway through due to affordability.

7:50 p.m.

Bill 30 negates this problem and allows all students, both non-Catholic and Catholic, to base their choice on school and programs without fear of penalty. Subsections 136(o)(1) to 136o(5), inclusive, allow consideration for both non-Catholic and Catholic students to attend the secondary system of their choice.

A great deal of attention has been given to the question arising from exemption of religious studies as dealt with in subsections 136o(6) to 136o(14), inclusive. Understandably, pupils who have enrolled in a separate secondary school due to reasons stated in section 136o, which deals with distance and program availability, have not chosen the separate school system as such, as a viable alternative. In essence, there was no such choice. Therefore, exemption from religious course in all fairness under those conditions makes sense.

If, however, the separate secondary school has been chosen for no other reason than that the student wishes to attend the school system, why the wish to become exempt from one of the aspects that makes the separate school system different from its counterpart the public secondary school? If the basis for exemption is based solely on a lack of compatibility with the teachings of the Catholic church, it might be a valid point.

However, if it suggests that religious studies are the only factor that makes Catholic schools different, this is a false assumption. I cannot state that too strongly. It is definitely a false assumption. Students who attend Catholic schools do so because of the religious education program and because it is incorporated into all aspects of the school curriculum.

Availability of programs is a major concern to students at the secondary level of education. Catholic secondary schools have in the past emphasized a sound general education and have provided options in both the business and technical areas based on a combination of need and affordability. In some instances these two factors have already been used by the public school boards in determining the continuation of

certain options due to declining enrolment. This decline is a natural one, not caused by transfer of students from the public to the separate board.

Under sections 136t to 136x, the planning and implementation commission is empowered to effect procedures that would enable coterminous boards to examine the needs of the students for programs and facilities. The criteria that must be followed clearly state that for availability of programs and facilities, students in both systems must benefit from the methods used by both boards. This leaves the door wide open for further co-operation between coterminous boards for the betterment of students.

I understand this is already being done in our two local boards in the Niagara area, the Welland County Roman Catholic Separate School Board and the Niagara South Board of Education, and it has been done in the past. It is not a new concept.

The final consideration in my brief will respond to the burning question, is a dual system divisive? Historically, this has not been proven to be the case in our publicly funded, elementary Catholic and public schools. Separate schools have also operated grades 9 and 10 for years with no apparent discord between the two systems. There has been helping between the two.

Grades 11, 12 and 13 have been in existence under private boards in many communities. Where these dual systems now exist, they are an accepted part of the community with no indication that duality leads to divisiveness.

If, on the other hand, a dual system creates diversity of approach, this is a healthy situation. The Catholic schools do not differ in approach from their public counterparts in basic curriculum guidelines, as both systems are governed by the same regulations. The difference in approach is the religious education program which is incorporated into the complete school day.

The purpose of both Catholic and public approaches to education is in the final analysis to provide the best education possible for all students. This unified purpose has been and will continue to be met. Diversification on many levels is encouraged in our society as a banner by which we proclaim our rights and freedoms. In education this holds as true as for any other aspect of our society.

The next section deals with teachers and support staff. During the past eight years, declining enrolments have contributed heavily to teacher and support staff redundancy in both the public and Catholic systems of education. The reaction therefore by public school employees to the announcement of full funding is an under-

standable one. One more reason for loss of jobs is indeed a difficult pill to swallow. This reason does, however, have a distinct difference. Declining enrolment cannot be controlled in relation to job retention.

Bill 30, in sections 136l and 136m, deals specifically with the possibility of lost positions of public school employees due to a transfer of students to the Catholic secondary schools. Guarantees are given in this section that no person will lose a job. Not only does it guarantee a job, but it also protects pay, seniority, sick-leave credits and retirement gratuity if a person is relocated due to full funding.

Subsection 136l(10) deals with salary rights and, in all fairness, should go one step further. While it guarantees salary shall not be lost in the first year of displacement, what will happen in subsequent years? Many boards have included a grandfather clause in collective agreements to protect teachers' salaries due to changes in qualifications. This type of protection would seem fair to include in Bill 30 under the circumstances.

The hiring of non-Catholic personnel has raised many concerns among those who find themselves in this position. What will be expected by a Catholic board? Will they be able and should they have to live up to the expectations based on religious beliefs?

The hiring of non-Catholic personnel by a Catholic board is not a new concept initiated by Bill 30. Non-Catholic employees in the past and those who will join them in the future have been and will be expected to conform to basic guidelines. Basic in this instance is the key word, meaning to respect the beliefs embodied in the Catholic system of education while at the same time not being expected to accept these beliefs as one's own. This expectation is the foundation of our Canadian society and one that enables us as Canadians to have the freedom which we now enjoy. This does not seem to be an unduly harsh expectation. Catholic employees of public school boards are, I am sure, asked to follow these same guidelines.

Bill 30, in subsections 136l(19) to (21), clearly states that the basis of creed shall not be used as a factor in hiring personnel displaced due to Catholic funding.

The one section of Bill 30 that is not clear to me with regard to teachers is subsection 136l(8). This subsection protects persons who have been designated, but for how long, and what happens to them until they are hired by the Catholic board? By whom are these people paid, and will

there be grant provisions for boards of education that find themselves with people in this predicament?

The projected impact of loss of position seems, to date, exaggerated. However, if even one person is affected, the sections of the bill are needed to ensure fair treatment for all concerned.

Last but not least, parents: Catholic school parents are not a small, isolated group of people but approximately one third of the electorate who have been recognized since pre-Confederation as playing a major role in the forming of our Canadian heritage. In the past, separate school ratepayers have willingly paid for their children to be fully educated in schools of their choice. They realized the necessity of the added burden they were forced to carry to ensure a system that embodied their beliefs.

8 p.m.

Their efforts have been rewarded with a school system that has grown not only in size but also in excellence, despite the restrictions of inadequate funding. They have been aware that their schools have adjusted in accordance with the changing times in respect of qualified teachers, curriculum guidelines, special education and the multifaceted regulations that govern education in Ontario.

While all involved in education—parents being major contributors—have kept abreast of the times, especially in recognizing the need of secondary education in today's society, until recently only small strides had been made in keeping with the promise as outlined in the British North America Act of 1867.

The statement of Premier William Davis—"If we are to serve the spirit and realities of 1867, we should acknowledge that basic education requires a secondary as well as elementary education"—was a giant step in catching up with the times and thus enabling all students in Ontario equality. It must be realized that this statement was preceded—not new—in the minds of the public by both the New Democrats and the Liberals.

The pathway to Bill 30 has been a long and at times an arduous one. It has, however, been worth the struggle to parents of Catholic school children.

In my closing comments, I guess I picked somebody who I find speaks extremely well.

Stephen Lewis, Canadian ambassador to the United Nations, when he was leader of the Ontario New Democratic Party, said: "The separate school case [for completion] has been put with such care and moderation that I can't believe that angry voices will prevail. ... Reports

about 'explosive political potential' make better [media] copy than they make good sense."

This statement by Mr. Lewis reflects my own feelings. Not only has the case for completion been presented in a moderate fashion, but also the response received in the form of Bill 30 has been prepared with due care and consideration to all who may be affected in the creating of a fair and equal system of education for all students in Ontario.

Although Mr. Lewis at the time could not believe angry voices would prevail, we have been made all too well aware that this has not been the case. Media coverage suggests this is the main type of reaction being received. I find this very difficult to believe and hope to see, in the future, coverage that makes good sense.

In conclusion, I find the provisions of Bill 30, in regard to those it may affect, respond in a fair and equitable manner. I thank the committee for its attention and wish it well in its deliberations and response to the briefs being presented.

BRIAN KELLY

Mr. Kelly: My name is Brian Kelly; I am from Fort Erie. It is with great pleasure and sincere appreciation that I express to this committee my support in principle for the proposed legislation contained in Bill 30, An Act to amend the Education Act.

Historically, it is clear that this is the final chapter in a long story that started in the 1840s and continued with succeeding amendments through to the support of separate schools to grade 10 in 1964 and eventually through the institution of the weighting factors granted in 1978. At that point, the whole process of funding separate schools began to approach equality with its public school partners in education in this province.

Important as it is to recognize the significance of the contribution of the proposed legislation, let us not forget that separate schools have existed in this province for well over 100 years and that the proposals in the legislative package only complete a funding that had its roots far before the Confederation of this great country.

Catholic parents across this province have for many years borne the extra burden of choosing to have their children attend Catholic secondary schools, despite the fact that they have no access to directing their taxes to these schools at the secondary school level. More often than not, the elementary panel of the separate school board was deprived of dollars that were rightfully theirs

to accommodate the educational efforts at the grade 9 and 10 level.

Full funding as proposed by Bill 30 will no longer force separate school boards to address this dilemma and will finally correct an injustice that has been allowed to fester over these many years. This legislation, while completing the intent of the British North America Act to provide for two fully funded public school systems, also puts an end to any suspicion that there will be one public school system in this province. To this end, it is clearly a historic enactment and one I strongly endorse.

Much has been said about the distinction between the church and state. Discussions continue as to whether a separate school system should exist. Fundamentally, it was recognized in the early 1800s that the public education system was established for the country, its economic development, social stability and the good of all its people. Roman Catholic ratepayers and parents even then recognized a significant element in the development of their children would be overlooked had they not had the direct influence of faith development in the regular school curriculum; not a multifaceted faith development, but one that directly reflected the premises of their religion, Roman Catholicism.

Consequently, the public education system established for all did not fulfil the requirements of the population of Upper Canada. In point of fact, the Act of Union in 1841 made provision for publicly funded Roman Catholic separate schools, and the British North America Act of 1867 further established two publicly funded school systems and a founding premise of this country.

The public base of the funding for separate schools was enriched in 1871 when the first Ontario High School Act was passed and further developed with the permitting of separate school boards to offer the first two years of high school. Only in 1915 did the restrictive regulations of the Ontario Department of Education prohibit further funding beyond the grade 10 level.

Despite this setback, the separate school boards in the province continued to increase, and through the late 1940s, the 1950s and into the 1960s, they flourished. Hardships experienced by Catholic ratepayers did not prevent the necessary development of the firm commitment to the public separate schools made by their parents and grandparents before them. The public base for separate school funding was well set in, and the equalization grants of 1964 and the

weighting factors of 1978 all continued to develop the public separate schools.

Now, in 1985, it is important to realize that the separate schools of this province, through Bill 30, will be fully funded and fully public. The absence of the term "public" tends to suggest something secretive or elusive about an undertaking, be it a corporation or a private institution. It should be clearly stated that the separate schools in Ontario have never avoided public perusal and the separate school supporters have always been willing to take substantially less than equal funding for a cause they saw as being paramount to their existence.

The proposed legislation completes a system too long truncated at the grade 10 level, forcing students whose families were not financially able to support an education of their choice to transfer out of a system of their choice and complete their secondary education in the public school system. This final act will make right an injustice which has existed far too long in this province, and the government of the day is to be commended on tackling it directly.

Representations from many bodies that have appeared before this committee have repeatedly indicated that the extension of funding to complete the Roman Catholic public school system would threaten the existence of the public schools in this province. It should be noted that the two systems have existed side by side for the past 130 years and still both are flourishing.

Too often an additional assistance to one system may be viewed as a detriment to another; in this case the funding of the separate schools to grade 13 should in no way detract from the alternative public school system. In fact, a good number of items in the legislation itself protect against just such an occurrence.

I am pleased with the following elements of the bill as proposed:

(a) A separate school board may elect to offer secondary education (section 136a) but is not compelled to do so.

(b) The minister may approve secondary school operation by a separate school board (subsection 136a(3)) only if, on the advice of the planning and implementation commission, he deems it to be in the public interest.

(c) The Roman Catholic board has all the powers and duties of a secondary board, and it can enter into arrangements with the public board to provide instructional services (sections 136c and 136d).

Further to these aspects of the bill, additional safeguards are enacted in the specific clauses as follows:

(i) A 10-year designation, annually, by the public board of teachers displaced by population shifts from the public to separate school boards (subsection 136l(2)).

(ii) The necessity of Roman Catholic boards to hire such designates (subsection 136l(4)).

(iii) The treatment of staff (subsections 136l(11) to (13)).

(iv) Pupil access to either secondary school system (subsections 136n(1) and (2) and 136o(1) and (2)).

In my opinion, each of these elements in the legislation serves to protect the interests of both school boards and attempts to address the issues of full funding directly and without bias. This alone is a crucial factor in the success of this bill.

8:10 p.m.

Pre-Confederation Canada saw the lines of divisiveness based on religion, and since that time, the politics of our nation has taken steps to see that divisiveness based on any aspect of our society be removed. In a pluralistic society, all elements are given an opportunity to thrive in an atmosphere removed from threat and intimidation. Separate school funding is not an issue based on division but on providing a completion to an education system which to this point has ended at grade 10, the only system in Canada to do so.

A pluralistic society is one that recognizes more than one ultimate principle or philosophy. To argue that providing full funding is an issue to divide our society is, in my estimation, somewhat erroneous. The legislation as proposed will tend to encourage co-operation and mutual understanding rather than divide this province.

Primarily, the roots of division are attitudes that are caught by young people from adults. In promoting the suggestions that full funding of separate schools will be divisive, some adults are suggesting things that could not come about under the bill as it stands. The following are indications as to how this bill will in fact unite and solidify the educational systems in Ontario for all concerned:

(a) Separate and public school boards that have been working closely together will work even more closely and develop a more positive appreciation of their mutual roles in the province's education sphere.

(b) Secondary schools in both the public and separate public sections will be more scrutinous of the courses they are proposing to offer, separately and jointly.

(c) The general public will be able to view two complete educational systems and make a

selection for its children based on its needs and not be compelled to attend either system out of financial or other necessity.

(d) Better use will be made of existing facilities by both school boards prior to selling, or offering for sale, real estate or materials that could be used by the other.

(e) Finer budgeting techniques will be developed by school boards in attempting to meet the needs of their students and being fully accountable to the ratepayers within their systems.

(f) A healthy competition will evolve between the two publicly funded systems, which can only have the student as the direct benefactor.

(g) Decisions taken by all boards will be made in a spirit of co-operation, voluntary or legislated, resulting in the best situation for the public at large.

Therefore, I see the suggestion of divisiveness as being a nonexistent entity. In fact, the end result will bring school boards closer together in an appreciation and understanding of the feelings of each others' staff and students. Moreover, there should develop a more sincere respect for the philosophy of each others' system and a renewed confidence of collaborating to provide the quality of education Ontario has come to deserve.

Before concluding my remarks about this legislation, I must voice some concerns which I have regarding the bill in its present form.

While it is admirable to protect the interests of those members of teaching and other staffs employed by the public boards who will be designated as persons whose services will no longer be required, and it is incumbent on the Roman Catholic board which operates as a secondary board to assume these persons as members of their staffs, it would seem to me that provision should also be made for separate school teachers at the elementary level who might well be designated redundant as a result of such hiring and therefore be without jobs in the next two or three years.

I agree with the right of access to the Roman Catholic high school by persons who apply and are duly accepted by the separate board. However, I caution the committee to provide some type of safeguard to avoid wholesale application for students to attend and subsequent hearings to exempt them from religious studies.

There has been much publicity with regard to this bill, mostly negative as projected by the news media. I respectfully suggest that there be a positive campaign on the part of this committee or the government to make the people of Ontario

fully aware of the real changes that will be brought about by this bill.

In conclusion, I am thankful for the opportunity to present my views on this bill. I feel it is an historic piece of legislation that will improve an already strong education system in this province, while at the same time bringing into line a system which has been slightly short-changed.

I hope, as a result of this committee's hearings and following full debate of this bill in the Legislature, we will have an amendment to the Education Act which will serve well not only the Roman Catholic population of this province but the province as a whole.

The monumental task of legislating co-operation between boards and their staffs is one which requires great risks. The government is to be congratulated for its efforts. I wish you every success as you continue your discussions on this item.

The Vice-Chairman: Thank you very much.

Mr. Jackson: Mrs. Malouin, we had a presentation at 4:30 or 5 p.m. today from a gentleman. I am going to ask you a question that has nothing to do with education; it has to do with religion. His statement fascinated me and I would like someone to corroborate it, if you could. He indicated that there was some statement from the Vatican recently that prohibited young girls from participating as servers in the church. Is that—

Mrs. Malouin: It is news to me. That does not sound correct.

Mr. Jackson: It is the first I had heard of it, so I thought I would ask. I apologize for asking a question that has nothing to do with education.

Mrs. Malouin: We have girl servers. In fact, there are more of them than boys.

Mr. Kelly: They are more dependable than the boys, as a matter of fact.

Mr. Jackson: That will not be in Hansard, I hope.

Thank you. I just wanted that clarified and I appreciate that very much.

Mr. Allen: I have one question for each of the presenters. First, we have had the other provincial situations mentioned to us in regard to the separate systems in existence. I wonder if you are aware how different their circumstances are from those of Ontario.

You referred specifically to Newfoundland, which is a very interesting and unique circumstance. In Saskatchewan, we discovered there are virtually three regional systems of education. In the hard-to-serve rural areas, the separate

boards, by and large, have gone along with the public boards in providing secondary education and there are only public secondary schools.

Mrs. Malouin: Sounds like good co-operation.

Mr. Allen: Then they have a middle tier in the intermediate cities, where there are joint boards of management that run comprehensive schools, but with religious education courses and teachers hired especially to counsel Roman Catholic students. In the major cities, they have complete parallels of elementary and secondary school systems.

Each province comes to its own solution in its own time and works out certain compromises depending on the realities of the situation. I was not sure whether you were aware of that, given the comment you made about how we should emulate them.

Mrs. Malouin: It was a general comment.

Mr. Allen: Given the variety of circumstances in the school boards in Ontario, would you expect similar compromises to be worked out to provide the best possible secondary education in the most co-operative fashion and that the greatest degree of development of catholicity would be possible?

Mrs. Malouin: What you are saying sounds reasonable and fair. All across Ontario there are different situations. There are some smaller schools which would have to share facilities because each school is just too small.

8:20 p.m.

Mr. Allen: We have also found that there are separate boards in the northwest which just do not contemplate offering even an entity, because of the logistics of the situation.

Mrs. Malouin: A lot of these problems and frictions between boards have to be handled on a local basis. That is why I hope they can co-operate and make it work.

Mr. Allen: In the Catholic schools in your region, I presume there are a number of non-Catholic students. I do not want to ask about them; I want to ask about their parents. To the best of your knowledge, do the parents of non-Catholic students in Catholic schools participate in the life of the schools? Do they become campaigners for your funding efforts?

Mrs. Malouin: The only experience I have is that my daughters went to Loretto Academy. There was a tremendous school spirit there. Whether that happens in all of them, perhaps the others could say.

Mr. Allen: Mrs. Young, did you find the same?

Mrs. Young: I can only speak on a personal level. Of the non-Catholic students I have taught—and they are not many, so I can remember them well over the years—I have found their parents have been fully integrated into the school life. I can remember one in recent years who was a very good parent volunteer. I can even remember names, because they are not a great majority, and they have been part and parcel of the school.

Mr. Allen: This is not something we have inquired about very much, but obviously it is important that the child has that backup of parental involvement. I was curious as to whether those parents did get involved in the same way.

Mrs. Malouin: They certainly did.

Mr. Allen: That is encouraging.

With respect to your comments on access, Mr. Kelly, we have had a variety of comments from persons such as yourself who have come forward with different points of view. School trustees and people on the completion committee seem to differ sometimes from other persons of some standing in the church on this whole question.

What is your sense of the relative importance of space and accommodation concerns, or exemption from religious studies, in terms of maintaining your control of the catholicity of the Catholic schools?

Mr. Kelly: The legislation seems to suggest that, provided there is space and accommodation and there is approval by recommendation of the director or superintendent to the board, then any child whose parents apply for admission should have access to the school.

In regard to the exemption from religious studies, one of my concerns is that, if we do allow people access to the system, I hope we will operate under the assumption that they are buying into the entire system, not buying into the system to exempt themselves from religious studies, any more than they would want to be exempted from science or French or Italian or any other curriculum subject. Religious studies is a crucial part of the curriculum in Catholic elementary and secondary schools.

We should be leery of allowing wholesale access with an insurmountable number of requests to be exempt and of creating a situation where we would have an excess of non-Catholic students who were opting out of the religious element in the school and, in effect, detracting

greatly from the catholicity of that school as a whole.

Mr. Allen: You have tried to lay equal stress on both elements. I appreciate that in many Catholic schools there have been unusual accommodation problems and that space availability is very important.

Mr. Kelly: In many Catholic schools I am familiar with, there have been applications by non-Catholic parents, many of whom are employed as civil servants in this province and many of whom are professional people, not only in the private end of the Catholic system but also in private schools generally as an alternative to the public school system.

If we are going to extend full funding from grade 11 through to grade 13 and make it accessible, then the parents should clearly know what they are buying into when they ask for that access and should not want to be excluded from a portion of the curriculum, in the same way as any other publicly funded building would be. In the operation of a public school, they would buy into the operation of that school. It may not have the religious element a secondary Catholic school has, but the choice is clearly an alternative to both.

Mr. Allen: There are those who say that because of complete public funding, there should follow complete access. I am sure you have heard the argument.

Mr. Kelly: Yes, we have heard the argument.

Mr. Allen: There is also an argument which goes along with that or is parallel to it, that it may not be a matter of constitutional obligation to provide secondary funding, but it may be within the powers of the province to do it. On that ground, the province may well do it. But that undoes a little of the heavy obligation of the province to follow through with certain other kinds of conditions.

Mr. Kelly: It very definitely does.

Mr. Allen: I am trying to ask you, to put it bluntly—I am not sure I would be happy about making this tradeoff myself—if you had to give up right of refusal on the basis of space or right of refusal because somebody came along and said, “I want to go there, but I want exemption,” which would you give up, the control over exemption or the control over space?

Mr. Kelly: I would give up the control over exemption.

Mr. Allen: You would?

Mr. Kelly: I am sorry. Let me get that question straight. Would I give up the control? I

think the board would reserve control over exemption—

Mr. Allen: Reserve control over it?

Mr. Kelly: —so the board could say, “If you do not want to buy into the whole package, then you have an alternative system to make application to.”

Mr. Allen: So for you, the control on preserving catholicity—

Mr. Kelly: —is more important than the space being available. Okay?

Mr. Allen: Yes, okay. Thank you very much.

Mr. Reycraft: My first question relates to Mr. Allen’s first question in which he talked about the degree of co-operation that is going to be required. I would like to go to page 6 in your brief, Mr. Kelly, where you say you are pleased with the provision that the minister may approve secondary school operation by a separate board only if he deems it to be in the public interest.

Mr. Kelly: Correct.

Mr. Reycraft: I will put the question very specifically. In a community where there is a high school of 450 or 500 students and the separate board makes application to establish a Roman Catholic secondary school in that community, would you deem it to be in the public interest to have permission granted?

Mr. Kelly: I do not think I am in a position to deem it to be in the public interest, whereas the minister would. If the application is made, my understanding of the legislation is that it would go through the planning and implementation commission and reference would then be made to the minister, saying, “Here is a plan we are suggesting.” I imagine the minister, if he accepted approval of that plan, would go ahead and establish or give that board the right to operate a secondary school.

However, in looking at all the alternatives, I imagine the planning and implementation commission is going to ask: “Is it practical? Is it economically feasible? Is there a real need in that area to have two separate school boards in the instance you are talking about or would it be better to have one board with the separate school board buying services from the public board?”

My understanding is that the planning and implementation commission, in receiving the plans of the individual boards, would look at those factors. If I am wrong, I am ready to be enlightened, but my understanding in reading the legislation is that if a board applies and it presents its plan and the coterminous board presents a plan

and they are both accepted, then the minister would give approval to proceed.

If you ask me, “Is it in the public interest when it is 500 people?” I do not know unless you tell me: “This is the community I am talking about. This is the population of Catholic people in the community. There are so many Catholic students in the public high school and the board feels it can offer these programs.” I think more than one factor would be relevant to a decision like that. Maybe I am confusing you further. I do not know.

8:30 p.m.

Mr. Reycraft: Many have expressed an opinion to us that it is extremely difficult to provide a full secondary program once the enrolment drops below 450 or 400 students. There are places where there are secondary programs being offered with less, I grant you.

Mr. Kelly: That is right.

Mr. Reycraft: Would you be upset if the minister said he deemed an application not to be in the best interest of the public, when the application was going to create two secondary schools well below 400 students?

Mr. Kelly: No, I would not be upset personally, if that decision were made. However, the people in the area might be very upset. As far as I am concerned, in looking at the factors the way I see the legislation laid out, the minister does not have to grant, based on the plan of the separate board making the application or the public coterminous board making its representation to the planning and implementation commission. The bill says he may, but he does not have to grant the application.

That is the kind of decision that is going to be the nitty-gritty the minister will have to deal with in a good number of sectors of this province, many of them in the northern districts and some of them in central Ontario, where there is a very low population. You could be looking at applications from high schools with fewer than 200 or 300 students. That is quite possible.

Mr. Reycraft: I will leave that and go to the concern you expressed near the end of your brief about the protection that is required for elementary teachers in the separate system. Could you expand on that for me, please?

Mr. Kelly: I will try. My understanding is that the legislation clearly protects secondary school teachers in the public school system. Based on that, any of those people who are designated as not being needed in a subsequent year have to be

assumed by the Roman Catholic separate secondary board.

In accepting those persons, the enrolment shifts being what they are, there could very well be a situation where there are more teachers than the board needs within the Roman Catholic school board, which hires both elementary and secondary school teachers. By having to assume members from the public board and by having to look at its overall complement of staff, the separate school board may be in a situation where it will have to declare teachers redundant.

The panel that I see as most likely to be affected by redundancy will not be the secondary panel, where more teachers will be required by a shifting population and by the extending of programs to grades 11, 12 and 13, but the elementary panel. Teachers who have been with separate school boards for six, eight or 10 years could find themselves being declared redundant on seniority, a factor that will not affect anybody coming over from the public board in the designated group. My concern is that the separate elementary school teachers could end up being redundant.

Mr. Reyecraft: Would those teachers not be redundant without Bill 30, due to the problem of declining enrolment?

Mr. Kelly: It will not necessarily decline, if the board staff increases at the secondary school level to deal with the extended enrolment in grades 11, 12 and 13 in the next three years. While there are more teachers needed at the secondary level and the board has an increasing population at the secondary level, it cannot be increasing as rapidly at the elementary level. A whole shift in population would cause the redundancies to occur at the elementary level.

They will go to the elementary panel and say, "We have this many redundant teachers now," instead of taking them from the secondary panel. That is my concern, if there is no protection there and it says, "Those people who are already employed by the separate school board will also be protected."

I have a dual concern at the elementary level and even at the secondary level. If we had to assume 15 people from the coterminous board, and by the time enrolments came in September, the board was eight teachers heavy, the people you assumed would not be declared redundant; it is going to be teachers who have been working in the separate school board over a period of years.

Mr. Reyecraft: The principle of the bill is that public teachers will transfer with their students.

Mr. Kelly: Yes, if the shift of population warrants it.

Mr. Reyecraft: That is right.

Mr. Kelly: If the shift of population warrants the hiring of additional staff. However, the shift is only going to be at the secondary level. My understanding is that it is not going to be at the elementary level.

Mr. Reyecraft: If the students do not shift, there is no need to hire additional teachers from the public system.

Mr. Kelly: Correct. If the students do not show, that is correct.

Mr. Reyecraft: Then how are elementary teachers in the separate system being adversely affected?

Mr. Kelly: The decisions are going to be made prior to the end of April in a given year, speculating about the shift that is going to take place in September. If the students do not show, what do you do? Do you send those people back to the coterminous board and say, "Hey, we do not want them now"? Suppose you have hired eight or 10 people. Are you going to send them back next fall and say, "I am sorry, but now we do not need as many as we thought. We did not get all the people we thought were coming over"?

Mr. Reyecraft: I would assume the number of teachers needed is going to be based on the number of students who register for courses.

Mr. Kelly: I understand that, and we have all gone through the experience of students registering and finding out six months later that those registrations do not actually translate into real bodies. Our own board has gone through that where it has had six or eight teachers redundant at the end of September and has had to deal with what to do with those people. We have got them on contract, and we do not have enough bodies for them to teach. Do we revise our formula? Do we accommodate them?

I suggest there could be a redundancy between September and December that would include people who are not from the coterminous board, but people who are in-system employees, prior to assuming the designates from the public board. While it does address protection for those who are designated, it does not address protection for those who are already employed in the separate system at either the elementary or secondary level.

The Vice-Chairman: There are two supplementaries. Mr. Jackson had his hand up a couple of minutes ago and then Mr. Allen as well.

Mr. Allen: Mr. Jackson is on the technicality list?

Mr. Jackson: Are we qualifying supplementaries?

The Vice-Chairman: No, I think what Mr. Allen wanted to do is try to see if there was a way that we could try to clarify for the delegation exactly how this was going to work. If you want to go ahead that is fine.

Mr. Jackson: I sense that Mr. Kelly is having no difficulty understanding the issue of cross-panel transfers and redundancies. Mr. Kelly, do you have a background in education, say as a trustee or a teacher?

Mr. Kelly: Private teacher and principal.

Mr. Jackson: You are a teacher. Elementary or secondary?

Mr. Kelly: Elementary school principal.

Mr. Jackson: I take it from your comments and your response to Mr. Reycraft that you would support the member for Don Mills (Mr. Timbrell) in his bringing to the forefront, when he was a member of this committee, the issue that elementary public school teachers should be protected in this bill because of the transferring of elementary students to the separate school system.

Mr. Kelly: If, in fact, that comes about, yes. I think the bill only addresses it at the secondary level right now. Am I right?

Mr. Jackson: Correct.

Mr. Kelly: But if it comes about that we go to equal access at the elementary level, then there should be provision not just for the public elementary, but for the separate elementary as well. If we are talking about protecting jobs, then let us protect the jobs of everybody, not just one panel of one system. That is my concern.

Right now the panel that is being protected is the public secondary school teacher. There are very explicit guarantees in that legislation that say, "No matter what, you are going to be protected." It is not there for the secondary school teacher in the separate system, nor is it there for the elementary separate school or public school teacher.

The Vice-Chairman: Mr. Reycraft wanted to provide a clarification.

Mr. Reycraft: I would like to point out that the bill talks about protection for teachers who are displaced as a result of the bill. It does not specify secondary, and it really does not specify public, I do not think, although I might stand to be corrected on that.

Mr. Kelly: Is that the intent of the legislation? If that is the intent of the legislation, then I suggest it would have to be more explicitly written in order that everybody on all the panels of both boards clearly understands that.

Certainly from my own perspective I do not understand it to be that way. I read, and I am sure I do not have tell you the number of things that have been written, the exclusive provision that I understand in most of the briefs and information I have received with regard to this particular bill is that really we are talking about the public secondary school teacher being displaced, not the public elementary school teacher. Nor are we talking about protecting the separate elementary or secondary school teacher.

The Vice-Chairman: Mr. Allen may go on to his supplementary, and then we will go back to Mr. Reycraft.

Mr. Allen: First, there is some difference between the bill and the guidelines of the planning and implementation commission.

Mr. Kelly: Okay.

8:40 p.m.

Mr. Allen: The planning and implementation commission said it was asking boards to take up the full displacement of secondary teachers with the movement of pupils.

What the bill appears to suggest is that the separate boards should be responsible for hiring first from the designated list those teachers who have qualifications to meet the new number of positions that are opened up by the creation of new class assignments in the separate secondary system on the basis of the separate system's pupil-teacher ratio, which is different from the public system's pupil-teacher ratio.

Mr. Kelly: That is correct.

Mr. Allen: That does not take up the whole of the designated list. The balance of those teachers remain the responsibility of the public board and are paid for by the ministry.

You only get the number of teachers—

Mr. Kelly: We respond to the need.

Mr. Allen: —that corresponds to the increasing need designated by your PTR.

Mr. Kelly: Correct.

Mr. Allen: Therefore, strictly speaking, unless your board has a declining enrolment at the elementary level so there are displaced elementary teachers, then that board might think it wanted a crack at the new positions that are opened up in the secondary level.

Mr. Kelly: But I am not under the impression that an elementary school teacher will have a shot at one of those new jobs if there are displaced people with the public board.

If the public board has a certain number of designates who are going to be displaced, then I understand there is a compulsion on the part of the separate secondary board to hire those people before anybody else is hired.

If I am wrong, I would like to be corrected on that.

Mr. Allen: According to the bill, only if they have the qualifications necessary for the position.

Mr. Kelly: Right, but if I am teaching elementary school and I also have the qualifications for that same job, I am going to be a second choice for the job.

Mr. Allen: Exactly, you will be.

Mr. Kelly: That is where I think there is an injustice.

Mr. Allen: But you are not talking about a displaced teacher or a redundant teacher. You are just talking about an aspiring teacher.

Mr. Kelly: I could be ultimately if, in fact, the enrolment, as you said, is dwindling at the elementary level and if at the end of September my boards says, "We have six too many teachers."

They are not going to go to the new people in the secondary panel and say, "You guys have got to go so we can move these people up." They are going to go to the elementary panel and say "We have got to get rid of six elementary school teachers." That is why there should be a provision in there to protect them.

Mr. Allen: I hear what you are saying, but the point that was made by the member for Middlesex (Mr. Reycraft) was that those teachers are displaced as a consequence of another phenomenon, declining enrolment in your school system.

That is not a responsibility of Bill 30. Whether we should take it up as a responsibility is something we must debate.

Mr. Kelly: I am not sure it is not a responsibility of Bill 30. It might be a responsibility of the people looking at Bill 30 to say that there are more implications involved in staffing than just the transfer of designates from the public to the separate secondary panel.

The Vice-Chairman: We know the problems of integrating seniority lists and so forth.

Mr. Kelly: I am sure you do.

The Vice-Chairman: Did Mr. Jackson have a supplementary? Then we are going to get back to Mr. Reycraft and then we are going to the next delegation.

Mr. Jackson: For those members of the committee who may not be aware, there are jurisdictions where it is in the teaching contracts that the first right of hiring at the secondary level is the first redundant elementary teacher. That almost fuels Mr. Kelly's argument.

In some jurisdictions that exists, in others it does not. Where it does, your point is particularly poignant.

The Vice-Chairman: I know that point was raised in Windsor and I think it was actually raised here before then.

Somehow we have to look at not necessarily protecting those teachers. As the member for Hamilton West (Mr. Allen) said, the purpose of Bill 30 is to protect the secondary school teachers who are displaced in the public system.

I do not know the solution to that. We will let Mr. Reycraft speak. Since he is parliamentary assistant, maybe he has a solution for us.

Mr. Reycraft: The point needs to be made again that the position you have just described where the elementary teacher in the separate system might have the qualifications for a job that became available, the position would not become available if it were not for an increase in the number of students.

The staffing is based on the number of pupils who are in the school. If the pupil-teacher ratio is 17.5 and 35 students transfer, then two teachers from the public system should be unemployed.

Mr. Kelly: Yes. Correct. I understand that. I still say, going through that whole system of protection, that you should not simply be concerned with a move from the secondary panel in the public school to the secondary panel of the separate school. You should be concerned with protecting all teachers and all panels when you are talking about shifting. Ultimately it is going to affect them.

Mr. Reycraft: To clarify something I said earlier, it is all teachers of the public board who are offered protection by Bill 30.

Mr. Kelly: I did not hear that.

Mr. Reycraft: All teachers, elementary and secondary, of the public board are protected.

Mr. Kelly: I suggest the bill might also include all teachers from the separate secondary and elementary panels as well.

The Vice-Chairman: We have discussed that point for some time, but I am not sure we are going to get anywhere with it.

Mr. Reycraft: My other question is for Mrs. Young. It is one that was asked of other delegations, but the answers vary from area to area and from school to school. You stated that the difference in approach is a religious education program which is incorporated into the complete school day. I would like you to expand on the statement to explain how it is.

Mrs. Young: To explain it fully, you would have to come with me to a separate school and go through the day to see when questions arise with Catholic students and how a Catholic teacher deals with questions of morals and beliefs. It could be a simple little incident, a problem in the schoolyard where we would incorporate our beliefs or where something has happened to a child, for example.

I will take a personal experience in my class last year of a child who died of cancer and how we would deal with it and bring our faith and beliefs into the classroom. It was not a lesson, it was not in the manual and it was not curriculum. I dealt with it, with the help of a religious education consultant who showed how to deal with the children in my class and how to deal with it from our perspective.

I do not think I can pinpoint it. I could go through a day where there might not be too much happening that you would see as different. I could go through another day where maybe 10 times in the day you would see Catholicism brought out within the school in our dealings with each other and the children. I cannot pinpoint it by saying that this happens today, that tomorrow and that another day. It is ongoing throughout the school year.

Personally, when a child comes to me with a question or brings up in class any point of morals or beliefs, I am not hesitant about responding because of my beliefs and teachings. If there were children in the classroom not of our faith who would feel offended by it, if they had to ask to be exempted, it would be difficult. It would very difficult for me to deal with, whereas now I feel very comfortable.

I do not know if that helps answer it, but unless you are a part of the system, I do not think it is fully understandable.

Mr. Reycraft: You are quite right. That is why I asked. Those of us who are not familiar with the system—

Mrs. Young: I can think of a few incidents, but it is ongoing as to how you deal with situations in the classroom and questions from children. I am most comfortable with it because of my background and beliefs. I can teach and I

know I can teach Catholic children or children in my classroom who do not have to be exempt from what I say.

8:50 p.m.

The Vice-Chairman: I want to thank all four of you with the three separate presentations. They have been quite helpful and we appreciate your coming before the committee tonight.

RUSSEL ORR

Mr. Orr: My name is Russel Orr. I am a parent from Fort Erie, Ontario. I am pleased to have this opportunity to address you today as a parent who has appreciated the experience of having my five children educated in Catholic high schools in Niagara Falls and Welland. One daughter attended Loretto high school in Niagara Falls. One daughter and three boys attended Notre Dame College School in Welland.

The education I wanted for my children came at a heavy financial cost for our family. You can imagine costs considerably in excess of \$10,000, while at the same time we contributed our share of taxes to support the public secondary schools in my community. They also are centres of excellent secondary education, which have made a significant contribution to the secondary students of my community of Fort Erie. They will continue to do so in the future when the Catholic high schools of my area enjoy programming and full funding to the end of high school.

I am an Anglican committed to my faith and my church. My view of Bill 30 is that it is the realization and fulfilment of a dream that began to take shape more than 100 years ago. I firmly believe it is only just and fair that the Catholic school system of Ontario, one of the publicly-funded sectors of education in this province, be now completed by full funding for the final two years of high school. Bill 30 will fulfill the intent of the founding fathers of this country when they enshrined in the Constitution of 1867 the right of the Catholic minority to their own educational system.

Along with my fellow citizens, as a parent and a citizen of this great province, I am proud to share in the democratic process. It has allowed us to elect representatives to the government who finally have recognized the justice of delivering a law that fulfills a promise made so many years ago to a great number of my fellow Ontarians.

As the case has been presented in the past by others better qualified than I, and as included in the preamble to Bill 30, it is recognized today that basic education requires a secondary as well as an elementary education. Surely this is within

the spirit of the guarantees given in 1867 by our founding fathers. It is part and parcel of the Constitution that made it possible for Canada to be a nation.

Some say the principles of democracy are not being applied in this important issue because there has been little or no prior discussion with any groups other than separate school supporters. I cannot agree with this argument when everyone in this province, regardless of religious or political persuasion, who has ears to hear and eyes to see, knows of the many and varied discussions, dialogues and positions which have been put forward over the years, particularly the last 15, on the completion and funding of separate schools.

That the leader of our provincial government, with the overwhelming support of all legislators, chose to call time on the apparent endless debate on this issue, and to make the decision, is certainly well within the democratic process that I know and live by. I am unaware of another major issue of the day that has taken up so many volumes of history before a final decision was made to act decisively.

With another specific reference to the bill, I am also pleased to note one underlying principle is that the distinctive mission of the Roman Catholic school system will be maintained. I believe this is a critical principle that must not be compromised by any amendment to Bill 30. The Catholic character has made the system unique and has contributed to the high standard and quality of education in the Catholic high schools. The spirit of Notre Dame in Welland and of Loretto, now Saint Paul High School, in Niagara Falls must be maintained.

It is well worth the effort, cost and the changes needed to maintain schools that in addition to teaching the traditional three Rs of reading, writing and arithmetic, also teach and live three other Rs as well; namely, religion, respect and responsibility.

We have heard and seen from the media during the past few months expressions of strong opposition to two parallel school systems. What is new? What is unusual? There have been two parallel school systems in Ontario for decades. It is almost as if our Catholic schools have lived in isolation during these past 100-plus years. They received no high media coverage when, through the dedication and generosity of the Catholic ratepayers and friends, religious men and women, they struggled for survival.

Remember their right to exist is rooted in the foundation of this country, and that right

Catholics have not been prepared to compromise. Catholic schools have existed side by side with the public school system and have continued in tough times and in better times to provide a first-class education to thousands of our citizens who have made their mark on the political, social and professional life of this great province and country of ours.

Catholic schools, as I have said, are not new institutions on the block of secondary education. In my own area of beautiful Niagara, I would remind the members of the social development committee, the first separate school in the jurisdiction of the Welland County Roman Catholic Separate School Board, in which I live, was erected in Thorold in 1854, 131 years ago, and 13 years before the British North America Act.

The Sisters of Loretto, whose celebration of 138 years in Toronto took place only recently, were the pioneers of Catholic education in Niagara Falls with the opening of a private institution for girls in 1861. From these beginnings we have Loretto Academy and St. Paul High School today. The roots of the present Notre Dame College School in Welland are traced back to the 1930s, when Father Dwyer came from Toronto to Welland to open a boys' boarding school, to be followed by the Sisters of Notre Dame in 1941 and, in 1947, the Holy Cross Fathers, who have been involved in the leadership and administrative roles of Notre Dame to this day.

I believe that Bill 30 has addressed, and rightly so, many of the human concerns for loss of jobs by guaranteeing the hiring by the separate school system of teachers and other employees who have been displaced by transfer of students to the Catholic secondary schools.

There are adequate guarantees in the bill through the increased role and responsibilities to be given to the planning and implementation commission to ensure the continuance of high-quality programs in the public secondary schools.

These are some of my personal thoughts and comments on this important educational issue. I speak from the heart and from experience. I believe the completion of Catholic secondary schools will contribute to the growth, the strength and the character of Ontario.

Thank you for listening to my thoughts and my convictions, which I believe are shared by many non-Catholic citizens of this province. I wish you well in your deliberations and I urge you to hasten the day when Bill 30 will be law.

The Vice-Chairman: Thank you very much. Are there questions from the committee?

Mr. Allen: I think it is of some interest to us that Mr. Orr is not himself of Catholic persuasion and yet his children did attend Catholic schools, I gather. I wonder if you care to share with us some of the reasons for your undertaking that course. I ask you to make that personal statement because we talk a good deal in the abstract about these non-Catholic parents and these non-Catholic students, and we do not always have them before us.

I wonder what the elements were that led you to make that decision and whether, when you made that decision, it was of concern to you that there might or might not be an opportunity for exemption from religious studies, or whether that was the important thing for you in going in that direction.

9 p.m.

Mr. Orr: First, I married a Roman Catholic, and my children were brought up in the Catholic faith, so I had no qualms about it. I found the school system to be excellent, not to take anything away from the secondary schools in my community; they too were excellent. The first principal of my children was Elie Martel, the New Democratic Party member for Sudbury East. He lived in Capreol at one time.

I followed my children's education. I served on the parent-teacher association at Our Lady of Victory junior school. I saw the enthusiasm at Notre Dame and Loretto; you were made part of the family when you entered these schools. I decided then that my children were going to go to Notre Dame and Loretto. The decision to go to Loretto was my daughter's. At that time Loretto was a girls' school, just going co-ed that year.

Mr. Allen: Is it your experience that other non-Catholic parents have found the same kind of welcome that you did and participated in the same way in the school?

Mr. Orr: Definitely. I might add that I come from northern Ontario. Originally it was my home community. All religions co-operated closely together. You get a stronger feeling in the north than you do in the south.

Mr. Allen: We discovered that.

Mr. Orr: I have had close association in my church with other denominations, serving on various church boards.

Mr. Allen: You commented on the unusual costs that we also have discovered in many parts of Ontario; that many Catholic parents in financing the secondary education of their

children have poured very unusual amounts of money into that undertaking.

In your own experience, do you know whether that has in many cases made it extremely difficult for parents like yourself to finance college and university for their children?

Mr. Orr: Very much so. When you are paying busing and tuition, the money is gone that you should be saving for their college and university life, although parents are setting money aside for their children over the years to go on to college and university.

We are looking at \$1,500 a year for each child. That could have been higher if it was not for the spirit of the teachers and the religious people at Notre Dame and Loretto, who put their salaries back into the school to reduce the tuition fees.

This is where you have to have respect for these people, especially the religious people, throwing their salaries back into the school to save tuition. No child has ever been turned away from one of these because of tuition cost.

The Vice-Chairman: Any other questions? We could get into a discussion on whether Mr. Martel was a very good teacher or not. He will give us a report card from you later. Thanks very much for coming before the committee.

C. D. MACDONALD AND R. F. THOMPSON

Mr. Macdonald: Mr. Chairman, members of the committee, ladies and gentlemen, I believe a copy of the brief has been distributed so you can follow it. I would like to introduce myself and my colleague. It is not exactly as stated in the brief, but beside me is Mr. Thompson, a self-employed businessman. He is married and the father of four children. Mrs. Thompson, his wife, cannot be here tonight because of a serious illness in the family.

I am a self-employed professional and married to a former elementary school teacher. I have three children. The four children of Mr. Thompson attend a variety of schools at the elementary, secondary and university level. I have children in a variety of schools at the elementary and secondary level. We are Canadian citizens and residents of Ontario.

We come to you tonight as private citizens concerned about education for all our children, yours, mine, our neighbours', our fellow citizens', whether they live in the north or south of Ontario, in large cities, small towns, farms or in rural communities. We do not speak with the backing of a powerful church organization or a well-funded teachers' union, a large board of

education or a politically oriented ratepayers' or home and school group.

We come to you simply as citizens who are concerned about a group of children about whom little has been said to this committee. These children are of all races, creeds, colours and religions. Their problems transcend any of these distinctions. They are the children of our society who, through accident of birth or childhood, are disabled.

Descriptions of these children are well known. Some are mentally retarded, some are emotionally damaged and others are physically disabled. They all need and deserve special consideration in our educational system, whether public, separate or private. My comments tonight are general in nature and are intended to provoke thoughtfulness and care in the minds of our elected legislators as they consider the significant social and economic implications of implementing, subject to our court's approval, a fully publicly funded separate school system.

Although our comments are equally applicable to all disabled children, we would like to focus on the child who is learning disabled, children with whom we have some familiarity. Thus our brief is given the title, Concerned Parents for Children with Learning Disabilities.

Proponents of extending public moneys to all secondary grades of the separate school system base their argument principally on the premise of fairness. One hundred and eighteen years ago, at the time of Confederation, Roman Catholics were guaranteed their own schools, and, therefore, it is only fair to extend the funding to the full system as it has developed since Confederation.

The issue of fairness is interesting, because, as I understand this argument, the proponents of full funding concern themselves only with fairness for children of one religious faith. Opponents of the extension of funding to the separate school system have put forth a wide variety of objections. Some of their concerns are based on self-interest, such as loss of students, jobs and less prominence for their system. Other concerns are more objective. They are concerned about the social divisiveness of children being separated along religious lines.

We note, however, that very few arguments have been put forth by either side of the issue on the matter of what is the best means of meeting the varying educational needs of all our children. Success today, not even tomorrow, will give recognition to knowledge, talent, ability and energy, not the colour of one's face, the face of one's parents or the individual's religious prefer-

ence. It is recognition of these principles that will continue to make this a great nation.

9:10 p.m.

Some presentations have expressed the very real concern that full funding for a second school system, a system that wishes to exclude students and both teaching and nonteaching staff on the basis of religion, will be so costly that all education will suffer. This is a very real concern for all parents, particularly for those who have the responsibility or who share the concerns of educating our disabled children.

It has been stated that about 10 per cent of Ontario's 1.75 million school children have some form of learning disability. Not all these children are severely disabled, and recently many of these less severely disabled children have been taught to compensate for their disability through special education programs within the public or separate school system. There are, however, a sizeable number of children with severe learning disabilities who have not responded to these programs in the regular school system or, worse still, have not been permitted to attend these special education programs due to improper assessment or lack of facilities due to budgetary limitations. A learning-disabled first child tends to have average to superior intelligence and some are in the gifted category. They have a great desire to learn and the intellectual capacity to absorb knowledge with individualized programs, but without proper attention and programs the frustration to the student is enormous.

One study conducted in the United States estimated that up to 80 per cent of the US prison population had some form of learning disability. I just read tonight that in a recent presentation to the standing committee on justice and legal affairs of the House of Commons, on July 15, 1985, the Canadian Association for Children and Adults with Learning Disabilities stated that studies prepared in 1983 for the Solicitor General in Ottawa found that 85 per cent of incarcerated individuals have cognitive dysfunction or a form of learning disability—a tremendous economic cost if you consider what it costs to keep people in prisons today, and a terrible human waste. Yet there are many examples of the learning-disabled achieving high distinction as scholars, scientists, teachers, professionals and business leaders.

You may ask, what has this to do with full funding for Catholic separate schools? Everything.

During the 1984-85 school year, there were approximately 350 school children in Ontario

coming from various economic, ethnic and religious backgrounds, who had their tuition paid by the government of Ontario to attend private schools providing special programs adapted to their individual needs. This was only possible for these learning-disabled children because their local board of education had issued a written statement saying it did not have an educational program that would meet the individual needs of that child. This cost the province approximately \$3.5 million in the 1984-85 school year. It has been shown that the cost per pupil in these approved private schools is less than the cost per pupil in a similar special education class in the public or separate school system.

It is ironic that at virtually the same time that Bill 30 was introduced in the Legislature—a bill which will cost Ontario taxpayers anywhere from \$40 million to \$200 million annually, depending on whose estimates you accept—without any mention of funds for capital improvements or purchases, another bill of this Legislature, Bill 82, has cut off the \$3.5 million necessary to pay the tuition for these 350 learning-disabled children.

Many children whose parents find it impossible to pay the tuition fees, which range from maybe \$7,000 to \$12,000 or more, are now being forced to return to the local school boards. These boards only months ago said they did not have an educational program to meet the individual needs of these children.

If it can be argued that it is fair that 35 per cent of our students eligible for separate schools based on their Roman Catholic faith should have full funding for a traditional school system, and I mean a school system that primarily provides the upper level educational programs for pupils without special needs, surely it is only fair to provide whatever funds may be necessary to meet the needs of all our disabled children. This could be done through a publicly financed school system or, where necessary, by purchasing programs from private institutions for children with severe problems where such programs have proven to be more effective both educationally and economically.

We are concerned that there will not be the availability of funds for the proper education of disabled children. We are all aware that governments at all levels are under great pressure to reduce costs. Public and separate school boards have complained increasingly that there has not been enough money allocated to realize the lofty goals of Bill 82. Yet all political parties seem to be falling all over themselves to implement full

funding to separate schools at whatever the cost and without the assurance of access for all students.

The seriousness of the access problem is no more acute than in the case of education for disabled children. The cost per pupil is high and the most severely disabled children need individualized programs with specially trained and motivated teachers.

In some communities, local school board finances may not permit the establishment of suitably individualized programs for some learning disabled children. It is quite possible the program at one school board may be more suitable for a particular child than the program at another board.

If the better program and teachers or the only program and the only suitable teachers are under the separate school board's jurisdiction, then a severely learning disabled child who is not a Roman Catholic could be denied the proper schooling for him by the local separate school board.

The only alternative for parents of such a pupil would be to send the pupil to a special private school at their own considerable expense. If the child's parents live in a community where a suitable educational program is not available, there would be the additional cost of residency and travel. This is not only unfair but, in my opinion, it is also a ludicrous situation that could develop with the implementation of Bill 30 as it now stands.

There are other anomalies and injustices that will show up when this kind of public money is spent on one segment of our population whose only need is a religiously oriented education. When one talks of fairness, it must be fairness in respect of all members of our society.

It has been said before that a society is judged by how it treats its weakest members. In our headlong rush to benefit those who are strong, let us not ignore those who are weak. Mr. Chairman, members of the committee, we thank you for your attention tonight.

The Vice-Chairman: I want to thank you for the presentation. I can assure you that all members of the committee and all members of this Legislature have become even more sensitized to this whole issue of special education through the implementation of Bill 82 and through the cases that come into our office from parents who have children with learning disabilities. There is the difficulty we all experience when trying to help them achieve an appropriate program.

I would like to ask one question because I am not clear about on page 7 where you discuss the whole access question. My understanding is that programming is one of the areas that provides equal access. Therefore, a child can go to the separate school system or vice versa. The schools can arrange for the purchase of education, both under Bill 82 and under Bill 30. Perhaps you are making the point that the school board that has jurisdiction for the child may dispute whether there is appropriate programming.

Mr. Macdonald: That is one problem. Are you saying that notwithstanding the fact you have directed your municipal taxes to one system, you could still freely put your child into the other system?

The Vice-Chairman: For programming reasons and for distance reasons.

9:20 p.m.

Mr. Macdonald: Without any dislocation in time. Sometimes you have to make these decisions very quickly because the programs for learning disabled children are very individualized. No two programs are alike, and you may find that there is an ideal program in the board to which you have not been directing your taxes, and then you do have this dispute. Even when you are within one board you have a dispute with your own board about whether they should be in this program or not. Now you have to have a dispute with an entirely foreign board.

As well, in small communities it would seem you are going to divide your resources. You are going to have two systems trying to provide for a very special and very costly need, and I guess word will get around that one will be better than the other. I do not know which one, but parents are very sensitive to these things and will want to put their children in the better one.

The Vice-Chairman: I have even had the experience in my own area, where a child who was in the separate school system was on the waiting list and, because we could get this young lad into the public special education program more quickly, the separate school accommodated through purchase of service. We got him off the waiting list that way and into the public system, even though the taxes were still directed to the separate school system. It was just a purchase-of-service arrangement.

Mr. Thompson: There is another major problem concerning your question, and that is that if a child is designated as learning disabled or as having any other exceptionality, that is under the criteria established by that particular board of

education. I understand the criteria may vary from board to board and certainly can vary from system to system in either the public or the separate system.

If a child is designated as learning disabled and is placed in a class for the learning disabled, that board would not be willing to purchase service from another board. If the parents thought the better class might be available in the other system, the designation of learning disabled is not transferable, is not portable. The child would have to be placed in the other system and would have to go through the identification, placement and review committee meetings all over again. The parents would be running the real danger and the real risk of losing that designation.

The Vice-Chairman: I know this process is a problem, because I have experienced it.

Mr. Macdonald: There are situations with severely learning disabled children where the best program is not in either the separate or the public system; it is in a private system, and sometimes it is at a lower cost. When you have two systems, besides just being shuffled between your local board and the ministry, you can be shuffled back and forth between two systems and the ministry. When you lose a year or two years, it is fatal; the child is gone.

Mr. Allen: First of all, I want to say I am glad you are here and that you laid this on us, because it is a real, emerging issue that more and more of us have been aware of particularly in recent months as the implementation of Bill 82 came into sight. It became quite apparent that not many boards are prepared to handle the severely learning disabled in the student population.

As someone who put some pressure on the new Minister of Education and who happily saw him respond quite quickly, given the other pressures he was under, with some extension of funding this year, I was pleased to see that much happen. Clearly the situation is going to have to be monitored very closely, and we are going to have to be sure that a year from now we are not caught in a very tight, difficult and tragic situation.

My sense of the bill and the question of program access in general would fall in with what the chairman has observed tonight, although I do know a lot of other kinds of problems that relate to getting access to program that still have to be sorted out for parents of the kind of children we are speaking of at this time.

Just an additional assurance, and that is that some of the boards are at this time working together fairly closely to do a kind of co-operative delivery of various aspects of special

education and education for the trainable mentally retarded and for the gifted, and for the mainstreaming of those children who can manage in that fashion.

In the Ottawa area, to take one example, the Carleton Roman Catholic Separate School Board has taken on the trainable mentally retarded as its specialty, and one of the other boards has taken on another dimension of that issue and so on. So I think that with some care we should be able to find ourselves in a situation where one does not have coterminous boards that are trying to offer precisely the same thing and both doing it rather inadequately. At least, it would be my hope that this would be the way we would try to rationalize our way through this one.

Again, I think your point is perfectly well taken. You cannot insist that some are more equal than others or that you can be more fair to some than to others, and I certainly think all of us take that to heart.

Mr. Thompson: May I make a comment on that? I saw the presentation, I believe, of the Ontario Secondary School Teachers' Federation. One of their arguments against funding being extended was that for children who are in an area that is strongly in either the public sector or the separate school sector, if these children are in a minority, it might require school busing to get

them to the school of their choice. I did not quite follow the argument, but they presented this.

I would only make a comment on your point that school boards have been joining together to provide service. The secondary school teachers' federation argued that the time spent on buses would be detrimental to the children. I would point out that when services are offered between borough and borough or city and city or whatever, disabled children will have to spend much more time on buses than they currently do. If this is not suitable for able-bodied children, I can say it is doubly unsuitable for disabled children.

I appreciate your other comments.

The Vice-Chairman: Are there other comments from the committee? If not, I want to thank you very much for coming forward. I hope the government and legislators will not look at this issue as being either-or and that over a period of time we can do both. I think both groups have experienced an injustice and I hope we can do something as legislators to remedy that injustice, not just for the Catholic community but also for another equally important group in our society, and that is the young people with learning disabilities.

That concludes this evening. Tomorrow morning the committee will meet at 9 a.m.

The committee adjourned at 9:28 p.m.

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No. S-55

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Friday, September 27, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Friday, September 27, 1985

The committee met at 9:02 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 20, An Act to amend the Education Act.

Mr. Chairman: Recognizing the arrival of the member for Burlington South (Mr. Jackson), I will call the meeting to order.

Our first presenter this morning is Mrs. Scaife, a trustee from North York, presentation 734. Mrs. Scaife has provided each caucus with a compilation of all the prayers, readings, opening and closing remarks that are used in the North York system, which has been keeping me occupied for the last 15 minutes looking at the range of things that are used in the system.

Our methodology is for you to take us through your brief any way you like and then we will open it up for questions.

MRS. SHIRLEY SCAIFE

Mrs. Scaife: Thank you. I am not a morning person; I am brilliant at midnight, but not at nine in the morning.

Mr. Chairman: You will be well accepted here then.

Mrs. Scaife: Thank you for the opportunity to address the committee. I am a public school trustee on the North York Board of Education and also on the Metropolitan Toronto School Board. I fully support the submissions presented to the committee by both boards.

However, as a trustee, a taxpayer and a parent, I feel I have to express my personal views to the committee. The following statements are therefore my own.

I have been a trustee for five years. Prior to that, I was president of Educom, the North York Education and Community Council, an umbrella organization for North York home and school associations. I was also employed by the Canadian Home and School and Parent-Teacher Federation as executive secretary. All three of my children attended North York schools.

I am extremely proud of the North York school system and, indeed, the Metro school system. I am proud of any contribution I may have made to them in the past few years. However, sometimes

one becomes so close to the throne of decision-making power it is easy to forget one's own roots.

Recently the executives of an extremely large corporation in the United States and Canada made a decision behind closed doors to change their very successful product. This occurred after years of the public showing its trust, confidence and desire to consume the product by purchasing it in record numbers.

What followed was a public outcry that upset stocks, ended top executive jobs and changed the mode of marketing and advertising in the United States. The consumers were infuriated, did not purchase the new product and voiced their opposition through the media. Several started class action suits against the company. They felt hurt and ignored.

I do not need to review all the shambles that Coca-Cola was faced with in the subsequent weeks. One of the more innovative pursuits was the use of a phone-in mechanism to record public views as to whether people liked the old or the new product. According to a Bell Canada article, this precipitated an unprecedented number of calls from all over the country.

The company had to react immediately. Their new product was recalled and stores faced extra work in handling and stocking shelves. The old Coke was brewed again and returned to its rightful place in the United States and Canadian consumers' heritage of stability and continuity. Lawsuits were dropped and the citizens of the land were happy.

As a politician like yourselves, I find I sometimes become isolated in my office at the administration centre. I become so involved in committee meetings, board and other related matters that I sometimes think I know what is best for our consumers, the students and parents. Every now and then I have to find my roots again and go out and visit all the schools in the ward I represent.

I like to meet with parents and listen to their concerns and wishes as to what they prefer in curriculum, class sizes and teachers. There is nothing that jolts one back to reality, as to why one sits in a boardroom from 5:30 p.m. to 3 a.m. making policy decisions, as much as children's faces. I like to see kindergarten children cutting,

pasting and colouring. I like to see the excitement of a grade 3 child learning math on a computer. I like to see a basic-level student working on a lathe, turning a wooden bowl. I like to see a synchronized swimming team cheered by their colleagues.

This is the life of a school. A school should not just be a preparation for life; a school should be life.

I have been involved in most elections during the past few years, including federal, provincial and municipal. I have knocked on doors for the candidates I respect. But I suffered, along with my friends across the province, when I saw how people turned on good, solid MPPs, and candidates of all parties, who felt they had to support their party on the funding issue.

I am not saying all candidates, winning or losing, suffered lower vote counts solely on the funding issue, but I heard and saw the animosity on people's faces, people who are normally nice, middle-class, Willowdale residents. They had no choice. A veil of silence had descended. The three parties sat like the three monkeys covering their eyes, their ears and their mouths.

I cannot believe that citizens have been afforded the opportunity to vote their preference for Coca-Cola and yet are denied the opportunity to vote their preference on separate school funding. I think I should remind you, as politicians, just to whom the system of education in Ontario belongs.

It does not belong to the Minister of Education; it does not belong to the Ministry of Education; it does not belong to the school trustees; it does not belong to the administrators; it does not belong to the teachers. It belongs to the taxpayers of this province, the parents of this province, the people who paid for this educational system.

Our board has 14 public school trustees and four separate school representatives. The trustee who sits next to me is an Orthodox Jew. I am not sure what religion all our trustees are, but I suppose we have United, Anglican, Catholic and several other faiths represented. This would be very similar to the composition of North York schools, both in students and teachers.

9:10 a.m.

Twenty-eight per cent of our students come from more than 125 countries and more than 60 languages are represented in our schools. We offer heritage language instruction in 31 languages and dialects. We give children a chance to succeed to their full potential.

When a child auditions for our highly acclaimed Claude Watson School for the Arts, his

or her talent and potential is judged, not the socioeconomic background, race, colour, language or religion. I would like to offer you a marvellous example of this broad spectrum of North York's diversified population.

Newtonbrook Secondary School is a school of approximately 1,800 students in the heart of Willowdale, in Mel Lastman's beautiful downtown North York. Last year I had the honour of introducing to the board four outstanding students, their teacher and the principal.

These four students came to Newtonbrook in grade 10 from three different feeder middle or junior high schools and from four different countries. They came from four different cultures. They came from four different sets of parental value systems. They came with four different sets of expectations.

What occurred at Newtonbrook might be viewed as a miracle but in reality it takes place every day. These students studied, laughed, grew and aspired to goals together. With the help and support of marvellous teachers and an outstanding principal, they formed a team that won the Ontario computer programming contest.

The school boards in Ontario were invited to send a group of students to the Educational Computing Organization of Ontario's first computer programming contest. In March 1984 at OISE, seven teams were selected. They then competed in April at the ECCO conference and the Newtonbrook team won the Ontario championship.

The Newtonbrook team then went on to represent Ontario at the Educational Computing Organization International in Detroit, Michigan, in May 1984. Competing with students from across the United States, the Newtonbrook students won second place. I would like to read their names: Michael Wiener, Paul Chiang, Mark Malchiondo and Michele Chung. I have included my June newsletter. If you look on page 3, you will find a photograph of these students. This is what North York schools are all about in 1985.

Recently in my ward we rented the closed Burnett public elementary school to the separate school board to house St. Edward students. They had sold their previous St. Edward separate school for a condominium development. They will also be building a school for the arts on the site.

Directly across the road is our Claude Watson School for the Arts. I find it a dreadful waste of taxpayers' money to fund two schools for the same purpose when they are only a stone's throw

away from each other. Having an artist daughter and a musician son, I know that neither needed to relate to talented peers and friends because of religion.

It is an unfortunate circumstance to see not one, but two large yellow buses travelling down a quiet Willowdale street and to see a group of joking, playing, happy, boisterous, young children waiting at the same corner. One yellow bus is marked North York Board of Education, the other Metropolitan Separate School Board. Some children board one bus and some another.

I grant that we cannot turn back the public and separate structure of the elementary school system which a previous society established. However, for the sake of our society, province and country, why expand? I find the method of funding implementation by decree, not open debate, inexcusable. As a taxpayer and trustee, I find the calculations in Bill 30 proposed by the current government intolerable.

I am sure the average taxpayer is totally uninformed of this hypocrisy. How in heaven's name can you justify the September 16, 1985, memorandum from the Minister of Education (Mr. Conway) announcing that the government would give the separate school board \$3,275 to fund grade 11 and increase grades 9 and 10 funding, for a total of \$34 million for 1985?

How can you justify the unbelievable grant of \$720.50 to the public boards for every Catholic student who leaves the public system to attend the separate school system? The taxpayers are, in effect, paying twice and paying to both the separate board and the public board for the very same student.

This could be viewed as a peace offering, an almsgiving or a dispensation. It is a bounty in reverse, and I find it offensive. It is tantamount to paying the Canadian farmers not to grow wheat and other crops on fertile land while at the same time thousands of young people purchase records and hold rock concerts to raise money to buy much-needed food for starving Africa. It is morally wrong.

Perhaps our youth are giving us a message. They see no walls, no barriers, no boundaries in their caring for their fellow man. Institutions, universities and schools usually safely follow changes in the fabric of society; however, I believe we in Ontario have the golden opportunity to set a shining example across this country and to hold the light high and lead.

Why should the government carve out two secondary systems? Why, when we have a public school system with the excellent facilities that

North York has, is it necessary to build separate secondary schools or let students suffer in portable classrooms with no gymnasiums and auditoriums solely on religious grounds? When will all the secondary schools owned by the archdiocese be transferred over for \$1 to the separate school boards? If the separate school board is to receive public tax money, then the schools and land should be owned and held in public trust as the public school land and buildings are, and the elected trustees should be held accountable, not the Catholic Church.

As I stated at the beginning, I am proud of the public schools in North York. We have numerous alternative programs: French immersion; gifted, talented, special education; and English as a second language. We have the best facilities for secondary students, be they basic level, vocational or high academics. We have a Seneca sports program training future Olympic stars. We celebrate students who play Stevie Wonder on steel drums as we celebrate students who play Beethoven on violins. We introduced the Holocaust curriculum and are examining a nuclear awareness curriculum. We are not afraid to face controversial issues.

We have students, teachers, principals, secretaries, bus drivers, caretakers, administrators and trustees of all colours, creeds and political parties. Out of this diversity we have unity, pride and commitment to excellence in education.

When I viewed former Premier William Davis, I was as proud as ever that he had been our Premier for the era just ended. However, I view the next 20 years as a new era in Ontario in education and, indeed, in politicians. Children entering school this year will graduate in the year 2000. The province has changed; society has changed; Metro Toronto has changed; and, North York, the fourth largest board in Canada, has changed.

I am sure some of you are from small towns and cities. If you cannot relate to North York and the magnitude and diversity of the unique blend of races, colours and creeds, the vastness of our programs and curriculum, I offer you a day of your choosing to tour our system on one of our school buses as an out-of-the-Legislature class trip. What you would see might surprise you, but I know it will please you and perhaps influence your final recommendations.

9:20 a.m.

In closing, I note that Mr. Davis referred to an ecumenical document of 1970. I would like to show you our ecumenical document from 1985, and that is Readings and Prayers. For several

years our board has annually requested an exemption from the ministry's curriculum for religious instruction because of our diverse population. However, we strongly support the concept of daily opening exercises.

After lengthy committee work with input from staff, teachers, religious leaders, parents, community and trustees, our board adopted the document, Readings and Prayers, which is used daily in our schools. In 1985, this is what North York schools are all about.

This is our mission: to care for all our children, to be proud to say we serve all citizens from ages two to 82 in an open, free, tolerant haven for learning. This, to me, means the separation of church and state. This, to me, means citizens of tomorrow who can celebrate their victories, their defeats, their challenges, their joys, their sorrows and their successes with arms around each other in mutual trust and integrity, and with respect for their differences as they share their similarities.

On a gorgeous sunny morning in May, I attended a music festival at our outdoor education location called Forest Valley in the Bathurst-Finch area. I heard an elementary school choir sing a song. When I looked at their shining young faces looking to the future together, I felt privileged and proud to live in Ontario at this time. The song and their faces told the entire story of why Bill 30 is a misguided piece of legislation. On that sunny spring morning, together these young students sang, "One hundred children marching along, we come from nations all over the world."

I believe the greatest legacy this government could leave this province is to stand tall and say: "We had good intentions, we meant well, but we made an honest mistake. We want to unite this province, not divide it, and withdraw Bill 30." Thank you.

Mr. Chairman: Thank you. For a non-early-morning person, you got through that very well and you spoke with obvious pride in your system, as have other trustees before you from both the public and separate systems on the same kind of themes you have touched on.

I will not take up your offer to go and ride the bus. I did that for five years in high school and I got all the riding I want on school buses. I was wondering, however, when you started this business of reacquainting yourself with your roots, whether or not you were taking a Maoist position of actually putting yourself back in the classroom as a student and going through the same things students have to do, or whether it

was just sitting there and watching them. It might not be such a bad idea if we went back and actually had to go through the learning process again from time to time.

Mr. Jackson: Take a few tests.

Mr. Chairman: Take the odd test. An entrance test for the Legislature might do an awful lot for this place, although I would never be here.

Are there any questions from members? I do not have anybody down at the moment.

Mr. Allen: Anyone who can give an articulate and energetic presentation at this time of morning has my admiration. When I think of the rather mature system of Catholic education in Hamilton, my own city, and hear on public occasions many of the same things being said about their system as you are saying about yours in terms of internal diversity and the accomplishments of students, I know we all have that pride, and rightly so.

I have two brief questions; a particular one and a more general one. We have been looking at the question of transfer of schools in a variety of the locations where we have been. You asked, "When will all the secondary schools owned by the archdiocese be transferred over for \$1 to the separate school boards?" We have been in places where we have learned that schools owned by the archdiocese or by an order, or by both, are being transferred to their own board structure for nothing. In other cases, that obviously will not be the case.

What I am puzzled about is, when the moneys for those boards have come from the sacrifices often made by religious orders or when they have been made over and above the taxes paid to the public system by the parents of secondary school children who nonetheless choose to send their children to the separate high schools, when all that contribution has gone into the public side, why one on the public side should think it was somehow proper that the archdiocese or those orders should not get any compensation for the schools? I am asking you whether that is a fair request.

Mrs. Scaife: I can give you an example. An issue is brewing in the ward in which I live, which is across Yonge Street from the ward I represent. A Catholic school is selling its front lawn to developers. Apparently, this took place with little input from the public. The parents appeared before the Metro separate school system the other night. It refused to reopen the issue. They said they did not own the property and had no jurisdiction over the Catholic

ownership of the lands, but that they merely rent the school from the people.

I find it intolerable that there is no accountability. Fair compensation would be warranted, but it is very difficult to talk about real dollars now compared to when some of those buildings would have been built. It is difficult to say you are going to have to pay for buildings that have been in operation. I feel that if they are going to receive funding, the buildings should be transferred at a minimal fee. The issue of accountability is also paramount.

Mr. Allen: I certainly agree with the accountability question. When all the dust has settled and those boards are in possession of full secondary education, presumably that will happen one way or another. It is just the dollar price and the insistence that something which is privately owned and has been paid for by other means than public taxation should, of necessity and morally, come into the possession of those boards for minimal or almost no compensation. However, the accountability question obviously does have to be, and will be, heightened out.

There is another question that has remained a puzzle for me through many presentations. It derives from defenders of the public side of education in Ontario. On the one hand is a legitimate concern for the meeting of students of many backgrounds in the public school system and the virtue that has in developing tolerance and recognition of differences and acceptance of those differences.

However, at the same time, hand in hand, is an insistent threat that one cannot go as far in tolerance or understanding of differences as to recognize and accept as legitimate the clear and long-expressed desires of the parents of virtually half a million children in Ontario to have their children educated by another—and some people would say quite respectable—educational philosophy, that children be brought up in a consistent value frame of reference as long as that value frame of reference does not intrinsically and inherently teach and promote something that is against the public good as it is broadly understood.

I do not know whether you can help me on that, but I find a tension there and I wrestle with it. Maybe you do, too; I am not sure.

Mrs. Scaife: No, I do not really wrestle with it. In the ward I represent, four elementary schools have been closed. As I stated previously, we have recently rented one of them to the separate school system. It was closed several years ago before I was a trustee, but it was used as

Metropolitan Toronto negotiation headquarters. They have since got their own headquarters.

We rented another school in the northern part of my ward, which is between Yonge, Bathurst, Highway 401 and Steeles, to Leo Baeck Day School, a private Jewish school. I have no difficulty with tolerance in living in that area of North York, and I have no difficulty with numerous neighbourhood children choosing to go to Leo Baeck private Jewish day school.

9:30 a.m.

I was at a parents' meeting at Fisherville, the local junior high, last night. Numerous parents opted into their junior high system; that particular one is at grade 7. That is a choice those parents make. Therefore, farther down the road, if this funding goes through, how will you justify not funding all the private schools right across the province?

Up the street is Willowdale Christian School. It is not in our building; it is in their own building. So there is diversity in our neighbourhood, but there is tolerance.

Mr. Allen: May I ask you, then, what has changed? We have had to face this question for about 140 years, just by virtue of the fact that there is a public separate system. Whether we resolve that question satisfactorily or not may be another question, but the assumption in Ontario has always been, as I see it, that in principle there is nothing against the public interest in providing financial support as backup for significant numbers of parents who have another approach to education.

Mrs. Scaife: Private funding is not the issue right now. The issue, as I see it, is that there is space in some North York secondary schools, and it appals me as a parent that there are children in portable classrooms, not the highest example of pleasure, cleanliness and all the rest. I am familiar with portables because we have them on some of our elementary sites.

It is a unique situation where you can be declining in one area and growing in another area of North York, but we would have room in several North York schools if the students from the separate school system could come into our system and take their religion after school. I find it strange that we are putting money into building secondary schools when we are still in a decline in Ontario.

North York experienced a loss of 40,000 students in the last few years. The decline wave has gone through the elementary system by about 95 per cent, but it has not finished at the junior high and secondary levels. As I say, to know

there are spaces in some of our secondary schools and yet see the conditions the separate school secondary students are faced with is hard to accept as a trustee and as a parent.

We should be able to provide the best facilities. We have the excellent Claude Watson School for the Arts, the example I gave, in two campuses, elementary and secondary. Regardless of whether the money is from the public school supporter or the Catholic school supporter, I find it intolerable that any money would be put into building a new school for the arts and that those children, by the width of a street the size of this room, would be divided on religious grounds. You tell me, as a dancer in a former life, how religion plays a part in a ballet dancer's or an artist's life. I just cannot accept that.

Those children, once they have finished their secondary education, have to go on to university and community colleges, where two of mine have gone. My youngest one is 20 and in her third year at the Ontario College of Art. She went on optional attendance to Georges Vanier Secondary School, not her neighbourhood Earl Haig Secondary School, because we have an art program; and she blames me because I was not on the board to get the Claude Watson School for the Arts in soon enough, so that she went to the art program at Georges Vanier.

I wish you could see the stream of students she met at Georges Vanier, from all walks of life, all countries, who come through our living room. I cannot tell you their religion; half the time I cannot tell you what country they come from. That is the part that appals me. It appals me that money would be put in to build new facilities when there are facilities there. I cannot comprehend that.

Mr. Allen: I do not think this bill needs to lead in that direction, and I hope it will not.

Mr. G. I. Miller: That was a good point when you were talking about sharing. Is there good co-operation between the two boards, the separate and the public board? Are you sharing facilities? I agree with you that we should not be wasting our money. There has to be co-operation.

Mrs. Scaife: Yes; I think we were one of the leaders in Toronto, but I can speak only of Metro Toronto. I think we were one of the leaders to share elementary school facilities, because in the west end of the city, especially where there was a growth in the immigrant population, a higher ratio of Catholics became evident, and as our system had declined a bit we started renting parts of schools. We have rented several closed

elementary schools in total to the separate school system. There is good co-operation. It is no different from trying to bargain with private and nonprofit groups when it comes to rent. We are hard bargainers, but we work it out co-operatively.

Mr. Chairman: Do you share buses?

Mrs. Scaife: No, we do not.

Mr. Chairman: It seems quite bizarre. It is done all over the province.

Mrs. Scaife: We do not share any buses.

Mr. G. I. Miller: You said something about renting. Do you think you should rent? It is all public property.

Mrs. Scaife: The elementary buildings were paid for by true public school taxpayers. I believe about three or four years ago we worked out a special rent for the Metro separate school and it is basically the operating cost. We do not make a profit. It is the same with nonprofit organizations, of which we have many, and child care. We do not make profits unless they are in a profit-making business; we charge them according to the best we can get.

Mr. Chairman: There was a chance that was going to change, as I recall.

Mrs. Scaife: That is what we buy our computers with. Mr. Davis did not like that when he was on Metro.

Mr. Chairman: Thank you very much, Mrs. Scaife, for starting us off on a Friday morning with a very energetic and provocative presentation.

Mrs. Scaife: Thank you.

Mr. Chairman: Our second presentation this morning is from the Ontario Secondary School Teachers' Federation, District 9, Halton region. I have a number of names here. Since I very seldom get them all right, I will wait till you settle down and introduce yourselves.

If you are all going to participate in the presentation or respond to the questions, I would remind you to speak directly into the microphone in front of you and that will ensure you get picked up by both Hansard and the cable broadcasters.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 9, HALTON

Mr. Rupka: Mr. Chairman, members of the social development committee, guests and members of the media, I would like to introduce the people who will be involved in this presentation. They represent 2,700 employees of the Halton

Board of Education. To my left is June Remington who is the president of the Office Personnel Association of Halton. To my immediate right is Helen Iutzi, president of the Halton Elementary Teachers' Association. On my far right is Bill Fisher, principal of Oakville Trafalgar High School, who sits on this group as a representative of the Halton Secondary Principals' Association. I am Keith Rupka, president of the Ontario Secondary School Teachers' Federation, District 9, Halton.

I wish to make some comments about the context of the report before asking my fellow participants to speak. Upon completion of their statements, I will briefly outline the implementation process as it occurred in Halton and finish by summarizing our recommendations.

On assessing the events of the past year, and in particular the discussions which have taken place in these public hearings, it seems that more discussion must take place regarding the state of publicly funded education, both as it now exists and as it should be in the future.

The public system also has its roots in history. At one time it was also an institution that existed along religious lines, those of the Protestant faiths. However, it has changed to reflect the multicultural society that currently exists in Ontario. It is a system of which we can all be proud. It is also a system which, despite a person's race, colour, creed, religion or handicap, is charged with the responsibility of providing an education that is unsurpassed in North America, if not in the world.

9:40 a.m.

We believe this task is a necessary one if Ontario is to continue to survive as a pluralistic society which recognizes the need for tolerance and understanding in the education of its youth.

We therefore believe that any publicly funded educational system must adhere to some basic underlying principles which include: (1) accessibility to any and all students, regardless of race, religion, colour, creed, sex or handicap; (2) nondiscrimination in policies regarding hiring, dismissal, promotion or evaluation; (3) an environment of academic freedom which allows students to evaluate critically, without the limitations of any one religious, political or economic viewpoint; and (4) teaching students that all members of society are to be valued participants in democracy and that it is important to develop an attitude of tolerance, understanding and respect.

We believe these components must be enshrined in any legislation that governs the use of

public funds in support of any system of education. As proponents of this philosophy, it behooves us to examine the events that have transpired since the announcement in the Legislature on June 12, 1984, to extend funding to the Roman Catholic high schools.

There has been a continued reaction against the lack of public consultation. We firmly believe there was a public outcry over this issue in the last election, but it remains unheeded. The fact is that these hearings are still occurring after the fact. Funding has been extended by order in council. Those who were disfranchised in the last election have had to endure this once again. Two wrongs do not make funding right.

Added to this lack of public consultation in the legislative process is the question of constitutional validity. We are all acutely aware of the diversity of opinions on this aspect. It is unfortunate this government did not recognize this as a fundamental and underlying issue to the whole proposal. This whole question has now gone beyond the hands of the legislators. Ultimately, it is the Supreme Court of Canada which will decide the issue. There will be follow-up for both systems and, needless to say, for this government, no matter what the ruling. An issue which has been divisive in the past has now reared its ugly head once more. No one can predict with absolute certainty what the effects on both the public and separate systems will be.

Above it all hovers the spectre of having two or perhaps more publicly funded systems, none of which will possess the resources to deliver the program needed by our youth, a system of education which will prove too expensive to support or the possibility of funds having to be returned or promises being broken. Where is the logic in all this in the minds of our legislators?

I would like to focus the attention of the committee on various past and ongoing situations which have occurred within Halton. Let us begin with Mr. Fisher.

Mr. Fisher: On the surface, the Halton Board of Education appears to be a jurisdiction which might not be adversely affected by the extension of funding to the separate school system. Our total secondary enrolment has not had a precipitous decline. A closer look, however, will indicate that in parts of our region enrolment decline has been most dramatic in neighbourhood schools. We have several neighbourhood schools in serious enrolment decline and thus are in danger of losing the breadth of program necessary to meet the needs of the students, the

community and the expectations of the provincial government.

Our concern is the same concern as that of our colleagues across the province; namely, that the loss of students because of extension of funding will exacerbate an increasingly serious problem.

Our concern, however, goes further. Should the province proceed with the extension of funding to separate schools, can we doubt that the same conditions will be granted to private schools? Halton, as you probably know, is the home of Rev. Ken Campbell and Renaissance International. We have, therefore, been well aware of the desire to establish publicly funded sectarian private schools. If such funding should occur, we will be faced with a further erosion of the public system's financial and enrolment base. What is more dangerous: we would face an Ontario school system in which school attendance would be predicated not upon residency, not upon school program, but upon religious differences.

Four years ago, almost to this day as a matter of fact, Bernard Sharpiro gave an ominous warning, which I would like to read:

"If the phenomenon," that is, students leaving the public school system for other systems, "becomes not a marginal but a common experience, the public school system may well run the risk of becoming, to put it dramatically, a repository for the unteachable, the maimed and the poor. This would not only destroy the system as an educational instrument, it would also undermine one of the important bases for the development of a democratic society."

We know by now, as the committee is also well aware, of the problems faced by communities in which there is a single secondary school. We would like to draw the committee's attention to the fact that although 13 of Halton's 17 secondary schools are located in the relatively large urban areas of Oakville and Burlington, we also have communities in our north served by single secondary schools. We are concerned that should any of these schools be converted to separate schools, both the educational and social implications for these communities would be most unfortunate.

We in Halton are also concerned that if the separate schools receive full funding, with the competitive systems that we think will result, would the public schools receive fair and equal treatment? Will, for instance, the separate school system be expected to duplicate the varied programs now offered in the public school system? It is doubtful. The cost would be

prohibitive. As seems more likely, would the separate schools retain their largely academic nature and purchase from us the more expensive, highly specialized and more-difficult-to-deliver programs and in so doing preserve for themselves the best of all possible worlds?

Will the ministry carry through on its promise to ensure the effective use of existing public school facilities or will the separate school system be allowed to embark on costly building programs? In Halton, for instance, the public board has been considering the strong possibility of closing one of its three southwest Oakville secondary schools. Despite this very real possibility, the Halton Roman Catholic Separate School Board talks openly and advertises its proposed new secondary school in the nearby Glen Abbey community. So far as we know, no provincial approval has been given for such a school.

We question also if a non-Catholic graduate of an Ontario faculty of education will have equal job opportunities in both school systems, as will his Catholic classmate. These and many similar questions make us wonder about the statement of the Minister of Education (Mr. Conway) to the Legislature. In it, the minister claimed the extension of funding to separate schools made it possible for this province to move forward with this reform in relative harmony and without political division.

The lack of political division has been frustratingly evident; the public harmony will be far more difficult to achieve.

In reading the transcripts of this committee's hearings, it is difficult to ignore the strong feelings that Catholic parents have for the mission of their separate schools. It is also difficult to escape the conclusion that these same parents are not prepared to accept those provisions of Bill 30 which they consider will erode the integrity of the Catholic system.

Those of us in the public schools are also proud of our system. We are convinced the extension of funding to separate schools will begin a process that will seriously undermine schools and place an enormous tax burden on the citizens of this province. We resent inferences made recently that opposition to extension is rooted in bigotry. Such is not the case. We are convinced the extension of funding to a single religious group is a dangerous anachronism with a potential for serious educational and social implications. No one should underestimate the depth or the integrity of these feelings.

Mrs. Remington: As president of the Halton Board of Education Office Personnel Association, I welcome this opportunity to present the concerns of 250 nonteaching employees with regard to Bill 30. I also voice these concerns on behalf of the custodial and the nonunion office personnel on staff with the Halton board at present.

The group I represent is predominantly female. Due to present economic conditions, they are now the primary wage earners in many families of our communities. Along with the employees who do contribute to a two-income home, many of our employees find themselves in a position of supporting children as well as a spouse on their single earnings.

9:50 a.m.

Although it has been stated that present board employees will continue to hold their status with regard to seniority and salary, no specific security has actually been outlined to date. Accordingly, it is with great distress we find ourselves in an unstable position, not only on behalf of our non-Roman Catholic employees but for the Roman Catholic employees who appear to have no specific position guarantees either.

The reality of unemployment is a fact of life today. It is an ongoing struggle to relieve the unemployment situation in Ontario. When this struggle is so evident in our community, why are we trying to implement a bill that has obvious unemployment repercussions?

It must be realized that under the stress of redundancy and stiff competition for any available job positions, it is more than possible the quality of work and the consequent wellbeing of our students could well be in jeopardy. Above all, it must be ensured that our youngsters do not suffer at the hands of a political move that is far beyond their control.

Along with our concerns for job security, it must also be stressed that we have a great concern for the students themselves. After all, we are members of the community as well as parents of these youngsters.

Like many others, I came to Canada from the British Isles some 20 years ago. In our adopted homeland we found not only employment opportunities but a way of life which offered harmony with people regardless of colour, nationality or religion. Our children have grown, worked and played together in unison, free of bigotry and free of discrimination. The fact different churches were attended has had no bearing on the friendships our children have nurtured. Our children have had the opportunity

to broaden their horizons and increase their religious knowledge of each other by this community interaction. They have grown up with compassion and understanding for each other, regardless of individual religious upbringing.

By a total separation of children through Bill 30, we are encouraging our future adults to develop a barrier between themselves that is caused by enigmas born of separation. Why are we now attempting to separate our young people and create these definite differences? Are we giving birth to many problems created by the religious differences which are so evident in many parts of the world today? Must we stand back and watch our youngsters take part in the creation of religion-based separation?

The implementation of Bill 82 brought down the walls of separation and indifference for our exceptional students. We all learned a new and exciting meaning to the word "integration." When we are working so hard to ensure our exceptional students receive the benefits of integration, why are we also working so hard to deprive our other students of integration? It certainly appears that, in the name of progress, the implementation of Bill 30 is taking us many steps backwards instead of propelling us into the future.

In closing, I ask for your kind consideration of our concerns. I trust you can see the importance of job security to the nonteaching staff of the Halton board. I am confident you are fully aware of the necessity of harmony between our young people for the benefit of all Canadians.

Mr. Chairman, ladies and gentlemen, I appreciate your time and attention. Thank you very much.

Mrs. Iutzi: My membership, the Halton elementary teachers, agrees with the issues and concerns mentioned by our other Halton representatives.

As noted in our submission, the resources of our system are being strained to the limit. Legislators must remember that providing programs to meet the needs of all children is now required by law. When the ministry introduced Bill 82 five years ago, boards looked at the programs they had in place and at the phase-in funding available from the government and realized they did not have the resources to put these programs into place. When they sought further ministry assistance they were told there simply was no more, and if more was required it would have to be raised locally.

While the ministry grants for special education amount to approximately \$128 per pupil, the estimated cost in Halton of providing programs for vocational rehabilitation students in our system, or for the children from developmental centres that are now in our system, is currently in excess of \$15,000 each. The local ratepayers are required to bear this burden, and particularly in a time of declining enrolment there has been a considerable strain on the resources within our system.

The creation of two fully funded school systems has actually coincided with the date of full implementation of Bill 82 and the cessation of ministry funding to help establish new programs. It is our position that implementation of full funding should not proceed until full consideration has been given to the ramifications of spending many millions of dollars on extension while the imbalance between the provincial and local taxpayers' share of education costs continues to increase substantially.

While an increase in the provincial share of education costs to 60 per cent has been a long-standing position of both the Liberal Party and the New Democratic Party, and although the previous Conservative government made a commitment in its June 4 speech from the throne to increase provincial funding through legislative grants, this has not happened, and it seems full funding may be occurring at the expense of the public school system.

The transfer of students to the separate school system places an even heavier burden on local public school supporters. While Halton has a relatively low Roman Catholic population, the impact on many other boards will certainly be substantial. Meeting the needs of one system is straining our resources to the limit; how is the quality of education in Ontario being improved by allocating much-needed resources to the creation of a second, parallel system?

Mr. Rupka: I would like to end this section with a brief account of the process utilized to form the implementation plan in Halton last year, which we elaborate on in the brief.

I must emphasize to you the false perception on the part of many that local agreements were worked out on the basis of commitment and co-operation by all parties involved. Before the implementation plan was devised, there were many doubts as to whether the public board should even participate in such a plan.

These doubts were centred on two reasons. First, as educators we did not believe the change in policy was educationally sound and in the best

interests of society as a whole. Second, we did not want it perceived that the implementation had to go forward because most boards had worked out the problems, which of course was not the case. It is the second point that was our greatest fear and it seems to have been brought to fruition.

Many difficulties were encountered during the development of the implementation process between the two boards. In brief, these problems included the lack of consultation and involvement by all groups that would be affected; the lack of direction and response by the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario to issues raised by employee groups; the ability of both boards to react in a way that was beneficial to the boards but not in the best interests of employee groups; the problem of information not being freely shared; the illegality of the process and the lack of rights of groups or individuals to appeal the decisions of the boards as adopted by the planning commission; and finally, the lack of recognition of agreements made by the boards in the collective agreements of the employee groups involved.

As a result of these problems, we suggest to the committee that Bill 30 must be changed to address these drawbacks by amending it to reflect direct involvement by employee groups when implementation plans are being developed; that there be a process of appeal and arbitration open to all employee groups, not just to the boards themselves; and finally, that the planning and implementation commission take a more active role in ensuring that plans approved are plans implemented.

In addition, we believe there are several drawbacks to the bill with regard to apportionment and use of taxes, as well as representation by electors on the boards of education. We regret we have not been afforded more time to outline the concerns that have been stated in the brief, as well as others not dealt with therein.

We would like to end this presentation by respectfully submitting four recommendations to this committee.

1. The social development committee not report the bill to the Legislature.

This is a very serious step to take; however, it does have its precedents in the past, particularly when it comes to education. We feel as a group that the interests of society as a whole in Ontario will best be served by such nonreporting.

2. That further funding of grades 11, 12 and 13 be delayed until the court decision on the

constitutionality of the extension of funding has been made.

3. That further funding of grades 11, 12 and 13 be delayed until the bill has been approved by the Legislature following a full public legislative debate.

The constitutional question is one that will ultimately settle this issue. We believe it is not just to put either system under the kind of pressure it has been under for the last year to try to implement something that might be found constitutionally incorrect.

4. That a provincial referendum on the extension of funding to public secondary schools operated by the Roman Catholic separate school boards be held in conjunction with the municipal and trustee elections in November.

10 a.m.

I think it is perhaps this last point we find most difficult to try to recommend. We do believe in parliamentary democracy. We do believe that if the public at large is discontent with the members it has elected, it has an opportunity every four years to do a number on them, so to speak.

However, this particular recommendation has arisen out of the frustration that many of our members have felt over the lack of public consultation before the decision was made and the funding was extended.

We wish to thank the standing committee on social development for allowing us to appear here today. We would be most pleased to provide further clarification on any points raised in our presentations or in our brief.

Mr. Chairman: Thank you, Mr. Rupka, and your colleagues. This is one of the few times we have actually had this sort of representation from one area all coming at once. It is a very useful kind of format in which to do it. To have nonteaching staff, principals and elementary staff involved in a presentation from the Ontario Secondary School Teachers' Federation is relatively unique and it has been very helpful.

With respect to your recommendations, I think there is little support in the committee for the fourth one, on the referendum. We have had that argument from all sorts of presenters in the past. We have discussed the appropriateness of using or not using the referendum mechanism.

Reporting the bill may become an academic question at this stage because we will continue to hold hearings while the House is sitting in the fall. There will be no report through the fall because of that.

It is quite possible the report from this committee will come relatively close in time to

the actual determination by the Supreme Court. This is the way things seem to be evolving. Therefore, it may not be a decision the committee has to make during this process, because we want to make sure people are heard.

I will let other members in. I have seen some hands flashing. I think Mr. Jackson would like to start off.

Mr. Jackson: I would like to welcome my friends and former colleagues at the Halton board to today's hearing. For the record, I would also like to recognize the presence of the director of the board, Wally Beevor, so we have completed the panel and its breadth of representation.

Mr. Chairman: Why did they make him hide at the back? That is what I want to know.

Mr. Jackson: He is a nonelected individual. Everyone before us was elected.

Mr. Rupka: Arm's length from employee groups.

Mr. Jackson: He is keeping score, as a matter of fact, that is essentially what he is doing.

First of all, I would like to compliment all of you for having an individual presentation that complemented your brief but was not identical to your brief. A lot of groups just come forward and read their briefs.

I have a series of questions if I might quickly move through them. In the brief, which I hope all members have had a chance to read, you make reference to numbers on declining enrolment. Those numbers seem to be quite dramatic. Is it not fair to say, for example, in Burlington we did have a separate school built which pulled off a considerable number of students? That was built after 1978.

Mr. Fisher: Yes, that is true.

Mr. Jackson: We do have a decline.

Mr. Fisher: Yes, we do.

Mr. Jackson: However, the statistics would indicate a far more severe situation.

June, I want to ask you a question about the number of transferees in nonteaching. I am aware of the teacher transfers; that has been well documented and I appreciate the federation's interest in letting me know. Have there been any nonteaching personnel designated and-or transferred?

Mrs. Remington: This year we have run into two redundancies with the nonteaching staff. However, they did not transfer because there were no positions available and no security with the Roman Catholic board at this time. I did negotiate with the Halton board to place them

internally. However, with declining enrolment we are obviously going to be looking at more school closings, etc. and I expect this will happen in the future, maybe as soon as next year.

Mr. Jackson: Keith, your brief makes a detailed account of the issue that remains outstanding, which is the retirement gratuity. I was a trustee who received the report and I recall that we could agree, at least on paper, on all issues at that time except for the retirement gratuity.

You offer no suggestions in the brief, unless I read it incorrectly. I personally support the concept of secondment which would overcome this matter so that the retirement gratuity benefit would be retained because of the affiliation retention with the public board. Is that a position you and District 9 would support in regard to the transfer of teachers?

Mr. Rupka: I think the immediate answer to the question is yes. I think we did emphasize we would prefer to see secondments take place as opposed to the all-out transfer of the teacher or the employee to the separate board.

However, I do think the problem of retirement gratuity is something that has to be looked at very carefully. I do not think we are necessarily opposed, as a group, to looking at other alternatives, whether it be some kind of a payout in a trust aspect when a person goes over to the other board or some policy implemented across the province which guarantees that if these plans are in existence in one board they be carried through and become an obligation of the separate board.

Mr. Jackson: I have a quick question for Helen which has to do with the impact at the elementary level.

Very early in this committee's deliberations, we publicly identified a concern about the impact at the elementary level and the total absence of reference in the bill to elementary teachers who would become redundant indirectly as a result of transfer. Have you been able to measure or monitor any incidents of accelerated decline because of any transferring?

Mrs. Iutzi: We have the number of children who have transferred, as of this September, from the elementary public system to the separate system. We have been able to monitor that, yes.

Mr. Jackson: Are there any conclusions, any impact or trends?

Mrs. Iutzi: It is too early to establish a trend. There is a possibility of it accelerating as

programs become available in the separate system that are not available now.

Mr. Jackson: What we are looking for is whether there is evidence of elementary children transferring because the parent is making a long-range decision.

Mrs. Iutzi: Yes, there is.

Mr. Jackson: I have no difficulty suggesting that the bill refer to elementary transfers; however, I am wondering if the federation itself has got its mind around a way of measuring it or monitoring it.

Mr. Jackson: I have no difficulty suggesting that the bill refer to elementary transfers; however, I am wondering if the federation itself has got its mind around a way of measuring it or monitoring it.

Mrs. Iutzi: Yes, it is not difficult to get those numbers and we are monitoring it. There is a distinct possibility that parents will opt for putting their children in one system from kindergarten on.

Mr. Jackson: I have a final question that has to do with the notion of the referendum. There are two pieces of information for the members of the committee.

As I understand it, Burlington has recently passed a bylaw which allows for a referendum on this fall's municipal ballot. It has to do with nuclear disarmament. However, I am also led to believe there was a presentation to the school board recently where there was a specific request that the school board trustees request that a referendum on this issue be placed in this fall's ballot.

Is that so? Did that come to the board? If so, has a decision been made? I have been here all week so I have not read the local papers.

Mr. Rupka: I am not aware of that, but perhaps you could check with Mr. Beevor later.

Mr. Jackson: Perhaps Mr. Beevor can advise us, although I think it is clear that the referendum option has more to do with local decision than it does with a provincial decision. I am asking a question. Why do you not go to the city council and ask the city to put it on the ballot? That is the simplest way of asking the question.

Mr. Rupka: The simple answer to the problem is that we have been in a process to try to seek some avenue of public debate as quickly as possible on this issue, beginning with the planning and implementation commission and during the election that took place last spring, and now with the formation of this committee to conduct hearings.

With the summer coming and so on, we found it very difficult to do all those things at that time. I think you have to set priorities and one was to come here. That is what we have been working on for the past number of weeks.

10:10 a.m.

Mr. Chairman: One of the reasons the presentation in respect of the local referendum is rightfully made at the provincial level was raised when the whole question of the anti-nuclear referendum came up a couple of elections ago. A lot of local councils did not want to participate in that process, first, thinking it might be ultra vires with regard to their responsibility; and second, not seeing the point of doing it in just some of the municipalities instead of having it mandated province-wide.

There was a major debate here at that stage about the capacity of the province to pass legislation that would actually enable that kind of thing to happen, so there is a whole history of debate at this level on that issue.

Mr. Jackson: I am quite aware of that. No one who holds public office has not had an opportunity to get his mind around the whole issue of referenda.

My point simply was that in a major jurisdiction within the Halton board the municipal aldermen have agreed they would go beyond their jurisdiction to deal with issues that are of a nonmunicipal nature. The pro-life group has been before the council and so on.

It is not a debate on whether to have it; we are going to have a referendum in Burlington. I am asking why we did not use the opportunity when it existed to put an additional issue on the ballot. I want to make that clear.

Mr. Chairman: I want to make it clear there are good reasons to go provincially on this, to make sure it is at least consistent across the province if you are going to have a referendum of any sort.

I think we had better move on, because we are falling a little behind. I appreciate very much the time you spent with us today. I know we will be hearing from parent organizations later as we come close to the clause-by-clause stage. You should use them as a vehicle, obviously, if other things come up locally that you want to express again through the committee. Thank you very much for your time this morning.

Our next presenter is Reverend Malcolm MacInnes. This is exhibit 736. Welcome, Reverend MacInnes. We have your presentation, if you would like to take us through it.

MALCOLM MACINNES

Mr. MacInnes: Mr. Chairman and committee members, I have entitled my submission, *A Case of Conscience*. I present this submission as the parent of four children who are currently passing through the public school system. I give thanks to God that, through the Christian influence of home and church, they are an asset to the community. I am therefore naturally interested in the wellbeing of the public school system.

I am a Canadian citizen and a taxpayer. I love this country for its freedoms, its resources and the wonderful opportunities it affords. I am concerned lest these freedoms be eroded, these resources be wasted and these opportunities be lost. What is equally important, if not more so, is the fact that I am a preacher of the gospel of Jesus Christ. I am a Protestant, unashamedly so.

I have entitled this submission *A Case of Conscience* because the matter in dispute—that is, the full funding of Roman Catholic separate schools—is a religious issue that challenges my conscience and that of others who are in basic religious disagreement with the teaching and practices of the church of Rome.

Former Premier William Davis is reported to have told this committee on Friday, September 20, that his decision of June 12, 1984, was a matter of conscience. Some pertinent questions need to be asked about his decision of conscience:

1. Did he consider that his decision would create for others in this province a conflict of conscience when he decided that Roman Catholic separate schools should be fully funded from public money collected from many non-Roman Catholics?

2. Did his conscience accommodate the obvious inequity in that other independently operated schools do not obtain full funding? Why should they be discriminated against in favour of Roman Catholic schools?

In a wonderful display of originality, Mr. Davis refers to the existence of two public school systems. I suggest this is an attempt to pull wool over the eyes of the unsuspecting public. It certainly sounds ever so plausible, and in this land of equal opportunity it is obviously the just thing that if two public systems exist they receive equal treatment; however, what is the meaning of a public separate school system, may I ask?

I am sure Mr. Davis knows very well that the Roman Catholic Church is a religious institution, Roman Catholicism is a religion and these separate schools are Roman Catholic Church separate schools. Their schools display their

names as Catholic schools. A quick glance through the pages of your telephone directory should convince you that these are religious schools. Their names have a distinctively religious flavour, the flavour of Roman Catholicism.

Listen to some of them; these are the names of schools: Holy Rosary, Immaculate Conception, Immaculate Heart of Mary, Our Lady of the Assumption, Our Lady of Fatima, Pope Paul. You need little expertise to know these are Roman Catholic religious names.

Cardinal Carter is reported to have expressed the same idea as Mr. Davis. Two days after Mr. Davis gives his explanation, Cardinal Carter hastens to enlighten the ignorant people of Ontario, whose ignorance he describes as "colossal," that, "We have two public school systems." My first response is to observe that these two systems cannot be very effective if, as the Cardinal charges, our ignorance is "colossal." So much for having two public school systems.

My second response is, and please excuse the phrase: who are they kidding? You will please note that Cardinal Carter was quick to ensure that the distinctive character of the Roman Catholic Church separate school system be maintained. He said, "It is a religious issue." I disagree with the Cardinal's theology, but I acknowledge his common sense in recognizing that this is a religious issue. That is why I am protesting against what the Ontario government is doing by Bill 30.

There is no established religion in this country; that is, no religion that has prior claim to financial support from the state. All registered religions have equal status. Whatever camouflage of language the advocates of Bill 30 use, there can be no denying the fact that Roman Catholic separate schools are church schools, schools with a definite religious orientation. Let me show you.

1. The President of the Federation of Catholic Parent-Teacher Associations of Ontario has referred to the "distinctive character of the separate school system." That distinction is based on the beliefs of Roman Catholicism.

2. The government is arguing in the Court of Appeal that Roman Catholics alone among religious groups have any claim to constitutional rights in respect of education. It is therefore apparent that the government case before the Court of Appeal recognizes this is a religious issue.

3. Don McLeod, an executive member of the Ontario Catholic Secondary School Principals' Association, is reported to have expressed fears

that, if more than 20 per cent of students were exempt from religious studies, "we would be making the separate school more and more a public school."

4. The Carleton Roman Catholic Separate School Board apparently wants the right to hire and fire where it sees fit. That means firing teachers who express views contrary to the teaching of the Roman Catholic Church.

There can be no denying it. The separate school system is the school system of the Roman Catholic Church. The common conception, obviously both outside and within the system itself, is that it is a system under the umbrella of the Roman Catholic Church. The religious position of the Roman Catholic Church is the position which must permeate the system.

To call it a public system is mere eyewash. Perhaps it is a mere coincidence that Mr. Davis and Cardinal Carter gave the same explanation within two days of one another; if a coincidence, a rather remarkable and somewhat unfortunate one for them, I should think.

10:20 a.m.

I am a supporter of the public school system; however, I agree that if parents wish to send their children to a particular separate school, of whatever name, the choice is theirs and the cost should be theirs also. It is unjust that the people of this province be required to support a public school system and also a separate religious school system, the system of a religion with which they are in disagreement.

It has been argued that Roman Catholic children have been denied full funding. I challenge that the claim is untrue. The Roman Catholic Church separate school system has been denied the funding; the children have not. Roman Catholic children are at liberty to have the full funding where other children of the province have it: in the public school system. If parents choose to send their children to the Roman Catholic Church's separate school system, the choice is theirs. Let the cost be theirs also.

The Roman Catholic Church is reputed to be one of the wealthiest organizations on earth. David Yallop in his book, *In God's Name*, deals with some of the financial manoeuvrings of the Vatican and makes the following observation, "...one of the world's greatest unsolved mysteries: how much is the Roman Catholic Church worth?"

Yet the taxpayers of this country, of whatever religious persuasion, no religious exceptions allowed, were saddled with a \$50-million bill for a Papal visit in 1984. Shortly before that visit,

William Davis announced his bill for full funding. Little wonder so many supporters of the Progressive Conservative Party, myself included, became disillusioned by what our government was doing. I am not convinced it was his Muskoka rural style or his lack of charisma that cost Frank Miller and the Progressive Conservatives the election. Many were sickened by the political gymnastics of William Davis and the efforts of his successor to complete the act.

While I am interested in both the political and economic dimensions of this matter, my foremost interest and what has brought me here today is the religious aspect.

I bear no grudge or hatred towards Roman Catholics. I have friends who have left that faith and friends who are still adherents of that religious persuasion. While I appreciate their friendship, I disagree with the tenets of their faith. Considering that so many people look on the Roman Catholic Church as a large part of Christendom and the Pope has been acclaimed the spokesman on moral issues, it may surprise you that I, a professing Christian, should in this ecumenical age be opposed to the Roman Catholic Church system.

I would like to show you where my case of conscience lies. There are three areas to which I shall refer briefly.

1. The Roman Catholic Church and the Bible: God has given us the Bible to make known his will for our salvation. We are to search the scriptures which testify of Jesus Christ. The Holy Spirit is promised to teach us. Any person may take the Bible, and asking for the Holy Spirit's teaching be brought to know Jesus Christ as lord and saviour. There is no need for a mediator between us and him.

The Roman Catholic Church is exclusive in its claim to interpretation of the Bible and the church is effectively put between Jesus Christ and the individual. I quote to you from a Roman Catholic publication, "The Catholic is certain because he takes his doctrine from a teaching body which he believes to be divinely instituted and divinely guided to teach the truth."

The clear implication is that the Roman Catholic Church is that teaching body to be depended upon. It proceeds to claim, "...the religion taught by that church is the only true religion." Then the same author asserts, "You must accept everything that has been defined by her in the past, and be ready to accept without question anything that she may define in the future. A teacher who claims to be infallible can require no less."

These are the claims of the Roman Catholic Church system. Is it consistent with equity that people in this province who disagree with such teaching should be required to fund schools in which that religious dogma is promulgated by prayers, catechisms, and other religious exercises?

2. The Roman Catholic Church and the forgiveness of sin: The Bible promises a full and free pardon through the death of Jesus Christ. There is a call to repentance and the promise of complete acceptance with God by faith in the Lord Jesus. The Roman Catholic Church, on the other hand, teaches penance and purgatory. As Protestants, we repudiate such teaching. The Protestant reformers, men like Martin Luther, John Calvin, John Knox and many others, exposed the heresies of the Roman Catholic Church.

Are present-day Protestants in Ontario expected to support schools run by a church, to the teaching of which they are so opposed? The Roman Catholic Church boasts, "Semper idem." Its position has not changed.

It is outrageous and an affront to the consciences and religious freedom of the people of Ontario that we be expected to pay for the Roman Catholic Church separate school system. I appeal to your sense of common justice.

3. The Roman Catholic Church and the sacrifice of Christ: The Bible teaches that Jesus Christ offered the perfect sacrifice. "This he did once when he offered himself." Jesus said on the Cross, "It is finished." Those who truly believe in Jesus Christ obtain salvation through his already completed work. There is no place nor need for another sacrifice. To offer another is to insult what he has done. Yet the Roman Catholic Church teaches that the bread and wine are changed into the body and blood of Jesus Christ.

Allow me to quote to you from a Roman Catholic publication entitled *A Simple Catholic Dictionary*, under the heading "Mass." It says: "The sacrifice of the body and blood of Jesus Christ, really present on the altar under the appearances of bread and wine, and offered to God for the living and the dead. It is one and same sacrifice with that of the cross."

To me that is sheer blasphemy. The bread and wine are merely symbols, reminders of what the Lord Jesus has done. To the Roman Catholic Church system the mass is the "central act of Christian worship." That is a quotation from a Roman Catholic publication.

Do you remember Downsview and virtually every other stopping point on the Papal tour of

1984? Considering that the Roman Catholic Church's view of the mass is so abhorrent to Bible-believing Protestants, how can they be expected to support religious schools which are under the scrutiny, the careful scrutiny, of the Roman Catholic Church?

Recommendations and conclusion: These are a few of the areas of my concern. I humbly submit them to your committee for consideration.

Please bear in mind there are faithful Canadian citizens whose liberties are threatened by this type of legislation. I wish to reiterate that I have absolutely no personal animosity towards Roman Catholics, but I realise the claims of the Roman Catholic Church do present a threat to the freedoms of non-Roman Catholics.

It is acknowledged that a Roman Catholic teacher was fired several years ago for marrying a non-Roman Catholic outside the Roman Catholic Church.

Recently, in this country of reputed religious freedom, a young couple who held gospel meetings in their home had a visit from the local Roman Catholic priest who told them to stop the meetings, saying, "I demand that you quit, or be prepared to suffer the consequences."

It is apparent that whatever ecumenical spirit may mask the face for the present, the desire of the Roman Catholic Church for supremacy has not changed. If Roman Catholic Church schools are to have full funding, ought not other independent schools have it also? That would surely have serious ramifications for the public school system. Consider what has happened in Holland, where the public school system has been so fragmented by the existence of church schools.

I propose:

1. That there be a public school system open to all Ontarians, irrespective of colour or creed. This will make for a stronger system and for one in which children from different religious backgrounds may study together, with a richer understanding of one another and their religious views. It is the Roman Catholic Church's insistence that has led to the present controversy.

2. That provision be made for religious instruction on a voluntary basis, possibly outwith the schedule of other classes, and that representatives from the various religions have access to the schools or the school at that time to instruct the children who are interested in that particular faith.

3. That the interests of equity also require another policy. It is that the funding of Roman

Catholic Church schools be phased out. To continue with funding for Roman Catholic Church schools, at any level, and to deny it to other independent religious schools is discriminatory. The adherents of other faiths are being excluded from benefits and privileges conferred on Roman Catholics.

10:30 a.m.

The committee has heard the word "apartheid" used in another submission and you may think it is inappropriate. However, perhaps on reflection, committee members will acknowledge there is an inequity in the state's favouring one religious system over others. A distinction is being made which keeps people apart, not on the basis of colour but of creed; and that comes too close to religious apartheid for comfort.

Why can our Roman Catholic neighbours not send their children to a public school system, one in which arrangements can be made for religious instruction? The provisions of Bill 30 render the words of the Charter of Rights and Freedoms despicable. Let fairness be seen in action, not merely in the words of a charter. Let our children grow up together, study together and learn to live together.

The government is culpable in the extreme if it takes steps which cause such division in society, which bode ill for the future and which divide the members of the rising generation, separating them from one another on the basis of creed, at state cost.

"Believe not every spirit, but try the spirits whether they are of God."

Mr. Chairman, that is my submission.

Mr. Chairman: Thank you for coming and sharing your thoughts with us today. Are there questions or comments from members? I do not have anyone on the list at the moment.

Mr. Reyecraft: Reverend MacInnes, you referred in your brief to the situation in Holland. While I have heard small bits of information from that situation, I am not aware of its effect on the public system. Could you expand on that for me?

Mr. MacInnes: A representative from the Ministry of Education in this province went some years ago to Holland to investigate what was happening. I had this information from a person who worked at a high level in the ministry. Apparently this person was very impressed, I might say adversely, by the situation in Holland.

I have a young man in my congregation who works in Holland, who is at home this week on holiday, and he tells me that young children in Holland of 11 and 12 years old have to cycle up to

20 kilometres to school because they have no school buses. It is so fragmented they can afford only the bare minimum of having teachers.

Mr. Chairman: Are there questions? If not, I think it is because your position has been stated very clearly and there is no need for elucidation. Thank you very much for coming.

Mr. MacInnes: Thank you, members of the committee.

Mr. Chairman: Our next presenters are from the York Coalition for Public Education; they have brought items 737 and 737A. Since I have only one name, I will not try to introduce people, just to make sure. I probably even have that one wrong, but do take your seats. If you are going to participate, it will be important to speak directly to the microphone. It especially applies to you at the end; they tend to pick up very well when you speak into them, but not very well if you speak from the side.

Welcome, and you can introduce yourselves so that Hansard and those viewing know who is who, from one side to the other. That would be very helpful.

CITY OF YORK COALITION FOR PUBLIC EDUCATION

Mrs. Russell: I am Ruth Russell, the coordinator of the City of York Coalition for Public Education. On my left is David Morton and on my right the Reverend Boyce Elliott. Barbara Aronchick is on my far right, and on my far left is Gordon James, who is here as a resource person.

Before I start, Mr. Chairman, I must say how pleased I am to see that you are back to work. I was quite concerned with the report I read in the paper but I am pleased you are feeling so much better.

Mr. Chairman: Thank you. Most days it is good to be back.

Mrs. Russell: I hope this will be a good day.

Mr. Chairman: I am sure it will be. Fridays usually are.

Mrs. Russell: You can have the weekend to rest.

Members of the standing committee on social development, the Coalition for Public Education in York is a regional working group affiliated with the province-wide Coalition for Public Education. We are dedicated to the preservation of our public education system, the maintenance of its excellence and its freedom of accessibility by all, without determination as to creed, race, colour or beliefs.

We thank you for the opportunity to appear before you and share with you our concerns and views on the extended-funding question; a matter which bears so directly and significantly on our community and which boldly and daily screams for our attention in newspaper headlines and newscasts across the city and province.

In expressing our concerns, we come as successors in a long lineage which reaches back to the initial laying-out of the territory which formed the initial township of York in 1793.

As a community, we have, over time, been subject to annexations, separations and amalgamations. We were, in 1850, among the first organized local governments. North York and East York and the former communities of Leaside and Forest Hill Village are all embryos of York. The town of Weston, itself incorporated in 1881, and the borough of York now form the city of York as part of the federation constituting the municipality of Metropolitan Toronto.

York has a long history of progressive education. Our secondary education dates from 1926 when the Collegiate Institute Board for the township of York was appointed. Vocational and special education programs were initiated in the 1930s.

Education in Weston has even stronger roots. In 1857, Weston Grammar School was established and in 1971 it became the local high school. It still serves our community, together with our 35 other schools.

We are proud of our heritage and the spirit of goodwill which is extant among our very diverse ethnic population. We are a very multicultural community and within our compact eight square miles and 133,000 population are 50 to 60 different languages and dialects. Nearly half of the total population comes from other parts of the world. Forty per cent of the public school students do not use English as the language of communication in the home. We are a community integrated and enriched by our diverse ethnic social contact and we do not wish it divided on a religious adherence basis at the secondary school level.

Bill 30 threatens divisiveness in our community. It has already bred anxiety, fear, anger, frustration and lack of trust in our elected government representatives. To divide us in a discriminatory fashion on religious lines, as is the eventual outcome of Bill 30, flies in the face of everything we have strived for in our schools, churches, local government, businesses and community at large. We want a living milieu,

devoid of unnecessary, artificially constructed barriers to freedom of thought and association.

York has had a long political life, replete with successes and adversities, but characterized by constituents with long memories and a penchant for remedy. Though generally serving us well, our political representatives often lead perilous careers.

10:40 a.m.

It is incumbent that the melding of our diverse city continue. Bill 30 does not augur well for the continuance. The York Coalition for Public Education endorses the position papers presented to you by the Provincial Coalition for Public Education; the Ontario Secondary School Teachers' Federation; the Ontario Public School Teachers' Federation; OSSTF, District 14, city of York; the Federation of Women Teachers' Association of Ontario, city of York; the Canadian Union of Public Employees, city of York locals; the York Board of Education, and the Metropolitan Toronto School Board.

All counsel caution and sober second thoughts.

If it is the will of the committee to recommend the implementation of the principle of extended funding as proposed under Bill 30, we would direct your attention to some specific and urgent, though not all-inclusive, areas of our concerns.

Mr. Elliott: Participatory democracy and humanism: Democracy is by nature, and consequently by necessity, participatory. In order for it to function, it requires the support of a literate, informed public, capable of expressing its will.

Representatives placed in office by a majority of the electorate must be perceptive in their law-making capacity to ascertain and reflect the will of the people. The imposition of laws by a government is tyranny, which is the alternative to the democratic process. It does not require an educated populace, but rather one which will give obeisance to decree.

The contradictory action to the democratic process by which Bill 30 came into being has created confusion in the minds of the public as to what form of government we are actually witnessing.

The Canadian Constitution enshrines the principle that there be no state church or religion. Ontario is dedicated to this concept. Universality of access is enshrined in the public services from the courts to the provision of pensions.

We are attempting to eliminate the ghetto isolation of people on the basis of colour or race. Yet, perversely, Bill 30 proposes to isolate by religion the educational separation of Roman

Catholics from the rest of the population by a lurching, reactionary return to an 1850 mindset.

In this light, it is difficult to support further public spending for the benefit of a specified religious minority group. The time and age for segregated education is long past, and if religious groups want their own schools, they should provide their own funding. Our concerns are for the maintenance of a strong public school system.

The proposed legislation leads us to anti-ecumenical thrusts and to fragmentation, indeed shattering, of the public education system. There is already an escalated movement for extended support for all denominational schooling and equal rights. Presentations to the committee and to the Shapiro commission on independent schools have been forthright and demanding.

We reiterate that the existing system of public secondary education provides the opportunity for students of every race, creed and colour to intermingle and learn tolerance in the full association of peer groups and the understanding of differences.

The development of tolerance and understanding during youthful formative years is an essential element of our democratic system. We have real concerns and apprehensions that the division of the secondary school system through this proposed legislation could infiltrate the whole of society, with embittered division being the potential outcome.

Education is a state function and should remain the prerogative of the state. The proposed legislation abdicates this function to the domain of the Roman Catholic Church and permits that church to determine the pattern of education. This is not the direction in which reform in education should be proceeding.

Two parallel public school systems, one of which will be dominated by the Roman Catholic Church, is anathema to the kind of public education we see as desirable and necessary for this province to advance and meld our current pluralistic society.

Mr. Morton: Some implications for continuing education and adult day school in the city of York: In the city of York there exists a very comprehensive and extensive educational program for adult continuing education, primarily provided in the evenings, and for adult day school programs. These programs serve thousands of people annually to upgrade and extend their education and enrich their lives. The programs are expanding to the point where

attendance at them vies with or exceeds the regular day school programs.

The adult day school is typical of our concerns. This is a school organized in the secondary panel serving some 700 adults aged 20 through 70. These students represent the totally multicultural mosaic of our community and span the spectrum of religion and race.

The adult day school program provides urgently needed programs for the barely functionally literate to nonliterate who need to learn to read and perform basic mathematics. English as a second language provides the ability to speak and live in our Ontario society. High school credit courses are provided to enable entrance to community colleges or other institutions. The program provides training for unemployed youth.

Adults with special needs are a particular concern. The York program for slow-learning adults, operated out of Briar Hill Junior Public School, is only one such program that is required. Services for persons placed in group homes is another. Boards of education are establishing programs to assist such adults to re-enter and cope with everyday life.

Bill 30, subsection 136a(1), states, "A separate school board may elect to perform the duties of a secondary school board."

Many questions come to mind. Will the separate school board elect to provide adult day school programs? Where will the funds come from? What are the rights of the adult student? Is it not correct to presume that Bill 30, as it is currently written and pursued to its logical conclusion, will divide the adult day school directly along religious lines?

If an adult student in the city of York is assessed as a separate school supporter, does it not exclude the adult student from attendance at the public system adult day school? If a fee has to be paid, who is responsible for payment? Who bears the expense of maintaining records of attendance or eligibility for admittance?

Such questions typify our concerns and apprehensions as to the fate of the programs, such as those operated in the adult day school which are so essential to the welfare of our immigrant population and the community generally.

The bill is unclear. We believe it is likely to be a case of "conceive in haste, repent in sorrow," and possibly anger.

Our coalition has serious doubts about the efficacy of subsection 136l(1), dealing with teaching and other staffs. It says, "A public

board...shall designate, in accordance with the guidelines issued by the planning and implementation commission, the persons on its supervisory officers staff, teaching staff and other staffs whose services will not be required."

The present legal rights of staff seem to be denied. They are to be designated according to guidelines established by the planning and implementation commission. Guidelines do not have the force of law. As far as can be determined, the guidelines do not even exist, yet some unknown guidelines will permit tampering with existing legal contracts between staff and their current public school board employers.

The section, in our opinion, denigrates the authorized functions of public school boards and places enormous power in the hands of the planning and implementation commission, which is remote and unfamiliar with the local environment. The legal contractual status affecting teachers, secretaries, custodial and other staffs designated by a board is consequently abrogated.

We question also the need for a 10-year limitation on the designations as referred to in section 136. The time limit seems redundant. Even assuming that the 10-year period is reasonable, should there ever be a time limit on discrimination?

Section 136l refers to Roman Catholic boards filling positions by offering employment to designated persons "whose qualifications recorded by the ministry meet the qualifications required for the positions."

Teachers have great concern with this section as it appears to give all the flexibility to the engaging Roman Catholic board and none to the designated teachers who might be willing to obtain the necessary qualifications.

10:50 a.m.

Similarly, nonteaching staff seems to be disadvantaged by this section. All the options seem to be with the Roman Catholic board and none to the caretaker, secretary or contract member of the Canadian Union of Public Employees who might be willing to attempt to meet the specified qualifications. If this section is to proceed, the words "whose qualifications recorded by the ministry" should be changed to read, "who are qualified or can become qualified." A similar change should be made to prevent the manipulation of written qualifications to meet the occasion.

Section 136l speaks to the issue of transmitting the lists of names of designated persons and positions to all boards. Our concern with this

section centres on a scenario such as this: a woman custodial person on a secondary school staff is designated; she is married with four children; her husband's job and their home are in the city of York; the result of the circulation of the lists of designation is that the only job offered is in Kenora.

Is it fair or just to expect relocation of this nature? In our view, the provincial pool concept evident in the bill is not viable. Further, if the public school board is required to retain staff, as indicated in the section, then the public board should be reimbursed by the provincial Treasurer for all costs.

The section speaks to matters of sick-leave credits and not discriminating on the basis of creed. Clearly this section represents major difficulties in record-keeping and interpretation. The position of the Ontario Secondary School Teachers' Federation with respect to amplifying and clarifying this section is supported.

Section 136m addresses the matter of arbitration in case of disputes. This section fails to consider individual staff rights and speaks only of board rights. Questions that we feel require answers include: Who will pay the legal costs of the designated person in dispute? Where is the right of appeal? Who is responsible for payment to the designated person during the dispute? Who will look after the designated person's rights or represent him in a dispute?

Subsection 136o(14) grants exemption to pupils from courses of study in religious education, as decided by the planning and implementation commission. No similar exemption exists for teachers, and the omission directly affects non-Roman Catholic teachers who could be required in the course of their duties to present religious instruction studies in a separate secondary school setting.

In these major areas, we are of the view that Bill 30 at the very least requires major revision.

Ms. Aronchick: I should like to address the access of teachers to employment in a separate school system. There is a sector of the teaching profession whose rights and concerns are not addressed by Bill 30, consisting of teachers not currently employed by a public school board, who are disadvantaged when seeking employment.

Qualified teachers in private schools, qualified teachers returning to the profession after an absence for child rearing, newly qualified teachers and unemployed qualified teachers, such as those who have lost employment because of declining enrolment and shrinking staff

requirements, are all left to the vagaries of the marketplace. New, fresh, vigorous and inventive people are being lost to both the Roman Catholic system and the public system because of the restriction of opportunities due to factors such as designation, seniority, religious preference and views respecting roles deemed suitable for women.

Bill 30, in our opinion, falls short of providing some opportunity for capturing and reinvigorating the total education system with teachers who have been denied employment for many years and who are capable of making an important contribution to education. The bill continues to leave these teachers able to be employed only after all other priority hiring and preferences have been completed, and some provision should be made for them.

I shall next address teaching and learning concerns. The concept of the child, the home and the school in a community-based environment still remains fundamental in the rearing and education of children. The structure and system must be responsive to community needs and aspirations. It must be a public system open to all without reservation or restriction, and provide equal opportunity, in fact as well as promise, for all students and be accountable for their educational growth.

Parents of our community are vitally interested in preserving the quality of education that is now available to their children. Repeated concerns are heard. "Will this course still be available? Will I have to go to another school to get that course? What flexibility will there be in the curriculum? Must I fill up my timetable with only the restricted course offerings at my local school? How many persons will there be in the class?"

Matters of flexibility of curriculum, the variety of course offerings and the size of classes are persistently the topic of community discussion as awareness grows of the significant impact of Bill 30. Apprehension and unease are apparent respecting the quality and type of education which is to be covered in the separate secondary schools or which will be able to be provided in a public system that is partially closed down.

The community also needs clarification and answers to fundamental questions such as: What rights and options will Roman Catholic francophones have? Will they be able to continue in attendance at a public, secondary, francophone school? In a Roman Catholic secondary school, will the learning be directed differently to the student who is Roman Catholic than to the one who is not Roman Catholic? Will formal

definitions of a Roman Catholic student and a public school student be required? How would such definitions of a student have an impact upon class size and procedures for suspension, or referrals to support services such as for truancy, counselling, and psychological and other social services?

The realities of funding and the depletion of the public system clearly will result in fewer self-contained specialized programs, less support personnel such as teacher aides for special needs programs, wider areas of responsibility and supervision by supervisory officers with attendant loss of expertise and a host of related problems inhibiting the delivery of quality education. The community needs to know how these and other problems are going to be resolved to enable a reasonable choice of schooling for its children.

I shall lastly refer to women's rights. The committee has heard in another submission respecting promoting the best interest of public education in Ontario that, "No practice, policy, regulation, guideline or law which permits disparate impact on women on public boards conforms to such criteria."

This coalition endorses the sentiments expressed by Sheila Luka, who appeared before you previously, and endorses the recommendations as presented, which are attached as appendix 1 to this presentation. Especially do we support the recommendations respecting the continuance of affirmative action programs now under way and that no action be permitted that would decrease the overall percentage of women within a school or a board.

Mr. Elliott: The taxpayers' financial concerns: Increasingly, our community taxpayers are becoming aware that Bill 30 is going to cost them money. No one can tell them what that cost will be. No one can say whether it is based on \$40 million or \$150 million. No one can tell them how much money is to be extracted from them through income and sales taxes and diverted to grants to the separate secondary school system from public revenues. No one can tell them how much property taxes will increase as a result of the loss of assessment to maintain the public schools.

Our community deserves and needs answers to such bottom-line questions before being required to support and contribute to the expense and ramifications of Bill 30. It is incumbent that answers be found to these fundamental taxpayer concerns before proceeding to implement any

part of the extended-funding proposed legislation.

11 a.m.

Mrs. Russell: We are astonished and dismayed that such a radical proposal as Bill 30 for the restructuring of education in the province should proceed without proper planning and management techniques being developed and applied. When Bill 82, special education, was proposed, the community was extensively involved in the examination of that bill and reactions were sought and provided. A five-year planning and implementation time was established.

We remain confounded that such a major restructuring as is now proposed should be introduced without recourse and referral to the extensive network of educational organizations and groups available across the province who are vitally concerned with a matter affecting child and adult alike.

We know this committee has the difficult and unenviable task of sorting out and evaluating the various positions and views placed before you by the many delegations which have appeared, but, in trust, you are charged with the making of laws in an even-handed way and we request, and even require, your diligent appreciation and application to the concerns placed before you today.

We are led to the conclusion that Bill 30 is not a satisfactory vehicle for educational reform or change and that it will weaken, rather than strengthen, our educational system.

We are of the strong view that the restructuring of education in Ontario requires deliberate and careful long-term planning. Separate school funding aside, and aside from all the input, recommendations and careful briefs the committee has heard, any change in education in Ontario should not be put into place until a well-developed plan of objectives and implementation programs has been created, reviewed with the educational community and the community at large, and refined.

The planning should deal with all the future educational needs of this province that can be contemplated and defined, to prepare our young people for the changing world they will face as they approach a new century.

Such planning should proceed concurrently with the final decision respecting the constitutionality question, so that future directions are clear and forthright, unimpeded by deflecting issues. Our educational system deserves nothing less.

The planning goal for such an endeavour is ably stated by the former Deputy Minister of Education for the province, Dr. Harry Fisher. He has said, "A strategic future, entertaining a single form of governance, within which a full range of educational programs could exist with guarantees of history, constitutional confessionality and French-English languages."

It is therefore recommended that the government of Ontario not provide interim funding to Roman Catholic school boards to finance implementation of the proposed Bill 30; that Bill 30 be withdrawn, and that a royal commission be established to examine and report on the future needs of education, the role of public education in a pluralistic society, the need for reform legislation respecting educational governance, funding sources and mechanisms, together with present and future program needs for all sectors of our society requiring public education services.

I thank you for your attention.

Mr. Chairman: Thank you, Mrs. Russell and your colleagues, for taking us through a very articulate, well-reasoned and nicely-laid-out brief, in regard to both the way you expressed your opposition to the intent of the legislation and the clause-by-clause consideration you gave it as well. It was very interesting and helpful to the committee members.

Do any of the committee members have questions on any of the items that have been raised?

Mr. Allen: It has been a very easy brief to listen to in regard to the clarity of presentation and the organization of it and I appreciate that. I am concerned especially about some of the points made on the rights of staff, although you certainly make other points I would want to take up with you if I had time.

You say, as far as you know, guidelines do not yet exist in the planning and implementation commission for the process of designation and transfer of staff. Were you aware that the planning commission documents and guidelines issued last January had a set of guidelines with respect to those procedures?

They are not, in all details, as fully fleshed out as the bill, nor is the bill quite what we have in mind. So those three elements have to be kept in tandem. Were you aware there was an initial guideline there?

Mr. Morton: No, I was not, Mr. Allen, and I thank you for pointing that out. I also have grave concerns about one of the specific details which I feel no one has mentioned. That is the matching

of dates for designation between the very complex hiring and surplus procedures in large school boards such as Metropolitan Toronto. I do not believe those dates have yet been coordinated with hiring dates.

I think of a particular problem someone mentioned to me yesterday, where a separate school board is hiring openly through the paper with no communication with any public school board about surplus teachers. I do thank you for pointing out there are some guidelines. I did not know that.

Mr. Allen: This is the Metro area to which you are referring?

Mr. Morton: Where the hiring is going on? Actually, it is just north of Metro.

Mr. Chairman: I want to be clear about this. If it is in the papers, we might as well know where it is.

Mr. Allen: The situation across the province, as we have encountered it, ranges from that to those in the Ottawa area where there are very carefully worked-out protocols between all boards. That appears to be determined somewhat by local circumstance and intent to disregard the court cases.

With regard to your concern about legal contractual status affecting teachers' salaries, custodial and other staff designated by a board and the relationship of that to the protections in the bill, we have been somewhat concerned as well.

Would you be interested in seeing in the legislation a clause which would give priority to any contractual agreement in a jurisdiction or any agreement with a coterminous board that had superior provisions in those agreements to those provided in the legislation as a way of regularizing that situation?

Mr. Morton: That is a difficult question. As you realize, our first recommendation is that the funding not proceed until many other major concerns are considered. However, in direct response to your question, obviously any legislation is welcome which recognizes existing legal contractual rights and concentrates on individual rights which, at this point, are certainly denied, I think you would agree, by the draft of Bill 30.

Mr. Allen: With respect to the top of page 15, "Similarly, nonteaching staff appear to be disadvantaged by section 136." Could you amplify that for me? I was not aware there was any special disadvantage for nonteaching staff, but perhaps you are seeing something we are not.

Mr. Morton: I would hate to remind this committee that the colleagues of the Canadian Union of Public Employees, the Ontario Secondary School Teachers' Federation and all the other teachers' unions, have already come before you with a really serious concern, which is their difficulty in being designated from their board to the coterminous Metro separate school board. These problems do exist and they are very serious. That is basically what I am saying.

Also, we have custodial staff in our board who happen to be women and we are not quite sure those same definitions of roles exist in coterminous boards.

Mr. Chairman: Can we have some clarification on that? Just because they are women, the job definition is different?

Mr. Morton: I believe so, yes.

Mr. Chairman: The word "matron," or something like that?

Mr. Morton: That would be one thing, yes.

11:10 a.m.

Mr. Allen: Those would be matters we would have to encourage local coterminous boards to work out, corresponding definitions that would be applicable. I think the legislation refers not just to positions that are tightly defined by qualification but says "similar" or "substantially similar" positions. That at least broadens any definitional problems somewhat and helps a little in that connection.

Mr. Morton: If I may, because of the complexity of the semantic problem that we all seem to get ourselves into, the words would really have to be defined in great specifics, because the boards, I fear, would not quite understand your generous wording all the time.

Mr. Allen: Would you be happy to see those definitions in regulations rather than in the legislation?

Mr. Morton: It would seem to me they should be in the legislation, should they not?

Mr. Allen: I just note for you that when we talked with the Metro board, for example, about a lot of these problems, it was concerned that the legislation itself be flexible and broad; but the regulations are more easily changeable, given local circumstances or contingencies, and that might be a better method.

Mr. Morton: Obviously, all of us have to trust, and one wants to have great faith and to believe sincerely that all will work out for the best. But it is up to your talented judicial minds to decide the exact way to help boards understand

that this is the definition and they cannot play around with it.

Mr. Allen: If it will help your nonteaching staff—and I will close with this—we are leaning towards a separate section for nonteaching staff that would indicate that their transfer would be on the basis of straight seniority, which is their preference, as against the whole problem of designating positions, volunteers and all that paraphernalia, which they do not appear to like.

Mr. Chairman: If there are no other questions, you made only one tactical error in your presentation, which I think Mr. Bernier would like to bring to your attention.

Mr. Bernier: I must bring it to your attention. I noticed you have a clarification now on the guidelines. You are aware that a custodian would not be asked to move up north. I do not know whether you used Kenora in a derogatory way or not. Kenora is one of the most beautiful places in this province.

Mr. Morton: Oh, certainly not in a derogatory way.

Mr. Bernier: It is not a place to which a custodian would not want to go. He would want to go, I can tell you that.

Mr. Morton: Dear Mr. Bernier, it is because she would be leaving her husband, her mortgage and her children.

Mr. Chairman: That was the only thing I wanted to draw to your attention, that it was a tactical error. Referring to some place such as Scarborough might have been far safer for you.

Mr. Morton: From points in York, Scarborough is a long way away.

Mr. Chairman: Exactly, and it is probably less attractive than Kenora. That is all I was trying to say.

Thank you very much for your presentation this morning. We appreciate it very much.

The final deputation this morning is from the Newman Alumni Association of Hamilton. This is item 738. Good morning. It is nice to have you with us. Please make yourselves comfortable. I do not have your names, so if you would introduce yourselves and take us through your presentation, that would be great.

NEWMAN ALUMNI ASSOCIATION OF HAMILTON

Mrs. Nolan: Thank you, and good morning, gentlemen. My name is Katherine Kay Nolan—in the presence of this august group I am surprised I remembered it—and this is Jerome O'Connor.

We call him Jerry, and when he speaks you will understand why.

We represent the Newman Alumni Association of Hamilton, which is a Catholic organization composed of graduates from various universities in Canada and other countries. The purpose of our organization is to provide what you might call continuing education intellectually, culturally and spiritually for its members.

For many years, through its Christian culture series, it contributed greatly to the whole community by bringing to Hamilton world-renowned thinkers and speakers of every persuasion. It has also been involved in various charitable endeavours and yearly fund-raising drives to provide a Catholic chaplain for the undergraduate students at McMaster University. In fact, one of our claims to fame is that one of our members taught Bill Davis at the Brampton High School.

Mr. Chairman: Are you willing to name names?

Mrs. Nolan: Most of our members are products of the separate school system. Nearly all have or have had children in the system. Naturally, the completion of the separate school system is of great concern to our members. We come here not as people who have studied Bill 30 in any minute detail but as parents, merely to express our feelings about some of the opposition towards funding that has been voiced throughout the province.

We wish to make it clear from the outset that we are in favour of a strong public school system. We feel it is essential in a multifaceted society. Over the years, each request by Catholics for legislative action was not prompted by a wish to destroy the public system but was provoked by restrictions on separate school supporters to support their own schools. We are grateful for the advances, particularly since the Robarts foundation plan of 1964, that have been made in correcting the injustices under which the separate school system has been labouring for so long.

On the first page, I neglected to mention that I wanted to point out that when we use the term "separate school" throughout the brief, we are using it purely for the purpose of differentiation. We are very much aware that it is a public school system, albeit a smaller branch of the system.

However, we have concerns. We are extremely disturbed and saddened by the emergence of old prejudices and animosities that we hoped had long since disappeared in an enlightened society. We are particularly offended by what we consider the unfair battle against funding that has

been waged by the Globe and Mail. Although it seems to have softened its virulence somewhat in recent weeks, its one-sided articles, misleading headlines and refusal to print letters that could clarify the situation have aroused irrational fears among the uninformed, leaving many to believe that we are attempting to set up a new denominational school system.

We are astounded by the opposition of certain religious leaders and groups whom we had expected to rejoice in the completion of a system that endeavours to inculcate into its youthful citizens the moral values they themselves purport to espouse.

We found it incredible that a group of teachers whom one would expect to be examples of tolerance and fair play would stir up so much disharmony in the community as has the Ontario Secondary School Teachers' Federation. Since they represent a nondenominational school system, we cannot help but wonder why they were appealing to religious groups, and if they felt this was necessary, why they appealed to some denominations and not to others when their own membership is composed of a large variety of sectarian and nonsectarian teachers. We also question the probity of using millions of dollars of their membership's fees, levied for the welfare of their members, for propagandizing the community at large and exaggerating the effects of extension.

11:20 a.m.

Personally, as a former high school teacher in several of the public high schools in Ontario, I found their actions most disturbing. In Hamilton, no teachers have lost their jobs. As a matter of fact, a statement was made by one of the previous speakers from the city of York about the fact that separate school boards were advertising without regard to public boards. I would like to say that I know for a fact the Hamilton-Wentworth Separate School Board made a request to the Hamilton Board of Education in August, I believe, for six specialist teachers from its system. The board of education was unable to comply because its teachers were on strike.

I will go quickly through this. I am sure you all know most of the historical realities.

We know that in the early 19th century all schools were conducted and supported by various religious denominations. It is significant that the first petition to share in public funds for denominational schools came from people who were not Catholics. Although they succeeded, they gradually lost interest in having separate schools because they felt their Protestant interde-

nominal needs were being met more than adequately in the public schools. This was true until after the Second World War when the decline of religious fervour and the rise of secular humanism precluded this. Only the Catholics persisted in maintaining their schools.

It is interesting to note, however, that Anglican Bishop John Strachan in 1851, in his charge to the Church of England synod in Toronto, described the lack of parochial schools as an "intolerable degradation." He said, "We must demand what the Roman Catholics have already obtained and I honour them for insisting on this just concession."

It is abundantly clear that even today the Catholic taxpayers want their school system. They crowd their children into those schools. When new elementary schools are built, it frequently becomes necessary to erect portables even before the school is opened. This is not poor planning. The students seem to appear from out of nowhere. In Hamilton, the retention rate from Catholic elementary schools to Catholic high schools is 87 per cent. All of them have portables. I have indicated a few of the schools that are overloaded with portables.

Catholic parents want these schools, not because we wish to be exclusive but because we feel the religious orientation of the schools will determine the value content of everything the children learn. We continue to concur with the conviction of Egerton Ryerson, the Methodist minister who was the first superintendent of education in Upper Canada, who stated: "I do not regard any instruction, discipline or attainment as education which does not include Christianity. It is the cultivation and exercise of man's moral powers and feelings which forms the basis of social order."

We fully realize we are not alone in these beliefs and that many with children in the public school system also hold strong views as to the sterility of an education in which religion does not hold the dominant position. We sympathize with these people and we hope something can be done for them in the future.

Mr. O'Connor: I would like to offer a few comments on financial equity.

There are no distinctions on the basis of religion when it comes to paying taxes. All ratepayers are considered equal in their obligation to support the funding of the educational system. The distinction first arises when it comes to sharing out the educational portion of the taxes collected.

For too many years, Catholics have borne an undue proportion of the overall cost of secondary education. They have had to help finance the cost of the public high school system through their taxes. They have supported their own Catholic high school system by way of tuition fees. Finally, they have contributed to the levy that our high school governors have had to place on the Catholic community at large to help finance the last three grades of high school.

Even with the advent of full funding, Catholics in the diocese of Hamilton will face a debt in excess of \$2 million arising from the funding of our schools in earlier years. We would remind the committee that Catholics as a group are not the wealthiest segment of Ontario society and the burden over the years has been very heavy.

While we believe the estimates of tax increases arising from Bill 30 are unrealistically high, and in some cases are used as a scare tactic, we would point out that increases which do occur are in part a reflection of the hidden burden carried by Catholic taxpayers up to this time, hidden because we do not believe the general public is aware of the three-part financial load carried by the Catholic community.

I would add in parenthesis that yesterday I happened to come across a statement by the Ontario Secondary School Teachers' Federation on the poll that was carried out on its behalf, in which it appears that something like 38 per cent of the population did not realize that Catholic schools are not funded from kindergarten to grade 13, and another 32 per cent did not know they received any funds at all.

There is quite a gap in public knowledge. I do not want to use the word "ignorance" because I think that was misused earlier this morning. It is not a general ignorance; it is a lack of knowledge about a specific topic. I do not want any other meaning to be attached to the term. Obviously, there is a considerable gap in public knowledge of how the education system in Ontario is funded.

Divisiveness: The committee will recognize the idea behind this word which is so beloved by the opponents of Bill 30. Roughly translated, it means that the public funding of Catholic high schools will lead to unnecessary divisions within the community. If this opinion were true, it would have been equally true during the past 100 years or more when Catholic schools had partial funding. We should therefore examine this claim more carefully, bearing in mind that Catholic schools are protected by the Constitution and they are here to stay. That last remark in effect

means that if Catholic schools are divisive then we are faced with divisiveness for all time. But we do not accept that view.

Do such divisions exist? If they do, do they enrich or diminish the community? We would say that differences rather than divisions exist and they exist for very good reasons. We all hold differing political opinions or have preferences for different media forms or cultural activities, to take a few random examples. However, no one regards them as disruptive of society. Why then do we reserve the pejorative word "divisive" for sectarian education?

Other forms of Catholic activity, for example hospitals, nursing homes or social service agencies, all receive public funds without being accused of being divisive. Indeed, voluntary support of them from all sides attests to the high regard in which they are held.

Moreover, the nondenominational educational system is not the monolith the opponents of the bill would have us believe. Students in this system may elect to attend one of several schools because of the options offered, the language of instruction or because of the ease of transportation. Nevertheless, such students form durable friendships among themselves and with their Catholic neighbours. Our own personal experience as Catholic parents bears this out.

One might have expected some bitterness on the part of Catholics when they compared the facilities available to public school students—which incidentally they helped to pay for—with the overcrowded, spartan and in some cases downright substandard accommodation available to Catholic students. In fact, it spurred on Catholic students to make every effort to rise above the material shortcomings of their environment.

Quality in education is shown not to be a matter solely of money. During the course of the briefs submitted to the committee which I have read, one is almost left with the conclusion that you can relate money and quality directly. I suggest the past experience of Catholic schools proves otherwise.

Far from being divisive, full funding will ensure an equality of funding between the two systems that will provide, to quote the words of the provincial Liberal caucus, "the most valid basis for a fruitful co-operation which will improve standards in both sectors of the system." Injustice towards one section of the community can never be the basis for tolerance and harmony within the community.

Responsibility of trustees: Since Catholics believe that a person's religious beliefs should influence all aspects of his existence, parents seek out an environment for the education of their children that supports this belief: namely, a Catholic school.

11:30 a.m.

Catholic and public schools differ in more respects than the nature of their religious exercises or the content of their religious studies. The difference lies in the different bases of the two systems. One is God-oriented while the other is concerned primarily with man and society. This results in differences which are hard to define but which exert their respective influences and can be experienced at every turn.

Because of the sacrifices made by parents over the years to maintain their Catholic schools, high school trustees and administrators have a special responsibility to preserve the catholicity of our schools. There is some special relevance to the admission of teachers and students from the public to the Catholic system. The rights of both entrants are set out in the bill and we would expect our trustees to observe these scrupulously. Based on past experience, we do not anticipate problems on this score. Tact and common sense will surely prevent unnecessary friction.

Much has been heard in recent months of sacred trusts, some of which appeared less sacred than others. There should be no doubt in the minds of the commissioners that the public community expects its trustees to conserve the Catholic nature of our schools and to resist any attempts to dilute it. This is a sacred trust.

At this point, we would like to express our hopes that opponents of the bill will reconsider their position. Much light has been shed on a topic which was not widely known or clearly understood. Such a reappraisal requires courage, as well as honesty. In particular, we would invite the Ontario Secondary School Teachers' Federation to take a wider view when considering quality in education—quality for all students in the province or merely for the public school system.

We suspect that job security lies behind much of the OSSTF's opposition to full public funding, and the prospect of diminishing numbers in the public system only serves to heighten its anxiety on this point. We believe the teachers' fears are greatly exaggerated and that they are the victims of their own propaganda.

We would remind public school teachers that two or more publicly funded systems exist side

by side in other provinces of Canada, as well as overseas, without detriment to each other. Indeed, my personal experience in England would indicate that there is a closer and more co-operative relationship between teachers in that country because of the complete equality between the two systems.

Mrs. Nolan: In conclusion, we thank the committee for its patience in listening to us. I do not suppose we have told you anything you do not already know. We also thank all three political parties for their support of extension, and we cherish the hope that the justice of the Catholic claims will result in the passage of a bill which will be fair to all segments of society in Ontario and which will not abrogate any of the rights and the unique character of the separate school system.

Mr. Chairman: Thank you both very much for the very thoughtful and reflective tone of your brief; I think we all appreciated it. I notice I have some questions coming from Mr. Offer.

I just want to say, though, there has been some attack or counter-attack, shall we say, on things such as the way OSSTF and other groups within this debate have made their presentations. It strikes me their position has been quite understandable and the approach they have taken has been quite consistent with what I would have expected. They are protecting their membership and speaking on behalf of their views of public education, its viability and the way they have seen it threatened over the last number of years by declining enrolment and other kinds of changes.

Their approach is especially understandable because we did not have the debate here in the Legislature early on, or prior to the election, and they had no real hard figures to go on and also had no real understanding of where this was going to end up.

Contrary to what you say in your brief, I am not surprised at all that they took as strong as stand as they felt they had to and in effect spent the kind of money they did. I thought I should say that. I think the tone of your brief is very conciliatory towards the people on the other side of the issue, except in that area. I do think it is important to understand that in the context they were working in, it is quite understandable they took the kind of approach they did.

Mr. O'Connor: Is the committee of the view that the figures I have generally set forth are reasonable?

Mr. Chairman: I would say no one's figures seem to have been accurate up to this point. That is what I would say.

Mr. O'Connor: Have they erred in one direction rather than the other?

Mr. Chairman: You are leading me on, I suppose, to the fact that they overestimated because they were looking at the worst-case scenario, which is a legitimate thing to do when you do not know what the best-case scenario is going to be and you do not really feel as if you are part of a decision that is being made.

On the other side of things, I think those who diminished the problems, including the initial estimates of what this was going to cost, have been well off base as well. Again, because of the nature of how this came about, I am not surprised by that, either. But then, these days nothing surprises me.

Mrs. Nolan: We certainly understand their concern, but I really do feel they can expect the Catholic school boards, from what I have heard and from what I know of them, to be reasonable. I do not think they are going to have a great deal of difficulty.

Mr. Chairman: I think there are areas like Hamilton, as you say, that have been exemplary in the approach they have taken, but we have seen some other examples in other areas on both sides of the issue where there is an intransigence that is very frustrating for us as committee members.

I am not supposed to dominate this kind of thing; I am supposed to let the members talk.

Mr. Offer: I have a question about your statement on page 2, the first two lines, where you indicate that you are in favour of a strong public school system. As you may have assumed, we have heard from other sectors that the extension of funding to the separate school system will detract from the public school system, and I would like to get your reaction to that position in the light of your two lines on page 2.

Mrs. Nolan: In what way would you say it would detract from the public school system?

Mr. Offer: They say there might be a fragmentation in the public school system with the Roman Catholic students currently in the public school system leaving for the separate schools. There is the potential loss of teaching jobs and the possibility of other religious schools attempting to obtain funds and things of this nature. You have indicated that you are in favour of a strong public school system, and I would just like to get your reaction to those observations, which we have heard.

Mrs. Nolan: Has there been any research to prove that this would be the case? I know our educators do not feel that the funding of two more grades in a school system that has been there all along is in any way going to fragment the public school system. It never has in 150 years and I do not see why two more grades would do it.

Mr. O'Connor: May I make a point so that we get this thing in proportion? We are talking about a maximum figure for the cost this year of \$80 million in a budget of \$6 billion. I think we have to see this thing in proportion. To take the worst, I do not see that the transfer of \$80 million from one system to the other is going to lead to any great diminution of the public school system.

With regard to the question of teachers, I hate to say this, but Catholics cannot be held responsible for the demographics of the province. If the public school population is going to diminish anyway, that should not, as it were, be laid at our doorstep. There will be fewer jobs available in the public system, but there were going to be fewer jobs anyway. We are talking about marginal quantities whether we are talking about money or jobs. The effect is going to be marginal; it is not going to be overwhelming in its proportion.

Mr. Chairman: This always brings out my guilt, having started very late and having had only one child; and the minister, of course, is ultimately culpable for this decline in enrolment, as the past Premier noted the other day.

11:40 a.m.

Mr. Offer: On page 1, you indicate at the bottom that you consider yourself part of the public school system, albeit a smaller branch.

I am wondering whether you feel there would be any threat to the separate school system if total, open access were allowed for whatever student for whatever reason, with the provision he or she be allowed to opt out of the religious classes as per the provisions of the bill. I wonder if you have directed your mind towards that public—

Mrs. Nolan: I heard only the first part of the question. You are asking us if we would approve of universal access to our schools?

Mr. Offer: Yes.

Mrs. Nolan: No, I do not think we would. That would make it impossible for us to achieve our goal and retain control of our school. It is very important to Catholics that their trustees and educators retain control of their school.

Was the other part of your question whether the children should take religion?

Mr. Offer: Yes, those who were allowed in through the universal access.

Mrs. Nolan: Yes. I do not see any great problem. It might create a difficulty in timetabling if they were not taking religion. I also think those who send their children voluntarily to the separate schools would be receptive to having their children study religion. I do not think it is going to hurt them. They are not teaching some type of voodoo.

People do study comparative religion without any harm and I think it might make even a more tolerant society. Exception could be made for people who are forced to go for whatever reason, whether it be distance or academic program or whatever.

I also feel it could offer protection to the public system because if there were people unwilling to send their children to the Catholic system because the children had to take religion and they knew this rule existed from the beginning, they would leave their children in the public system.

Mr. Allen: I think the people who have come before the committee from Hamilton perhaps speak from a unique perspective and certainly not a parochial one in the terms in which that word is sometimes used.

Mr. Chairman: I view that as a positive thing and always have.

Mr. Allen: I say that because, as I have mentioned on a couple of occasions, the Catholic system in Hamilton is virtually complete. It would be difficult to find very many communities in the province, even under completion, where the greater proportion of the Catholic community is involved currently in the Catholic system and carries through all of the grades.

That being the case, even though you are not exactly impartial observers, it might be helpful if you would respond to the question as to whether, given that state of completion, Catholics in Hamilton feel they are in a separate group, living in a society which somehow has become very divisive as a consequence of that virtually completed system of education.

I ask that because minorities often feel those divisions acutely and you are a minority in Hamilton. Do you feel you live in a divided society because of the completion of Catholic education in Hamilton?

Mrs. Nolan: No, in no way whatever. I cannot feel we are divided from the rest of the people. Mr. O'Connor mentioned in his brief several indications that we are not. Perhaps he would like to expand on that.

Mr. O'Connor: Yes. I agree completely that our social life, for instance, and the social life of our neighbours is not based in any way on religious persuasion. I happen to live in the west end of the city and we have every Christian and Jewish religion, or believers in various religions, located immediately around us. We do not find any divisiveness among our children. I had six children and I would say that probably three quarters of the kids that passed through our house at any one time were not Catholic children. They are the kids on that avenue and that is it.

As I said, our street is served for different reasons by about four different schools in the public system as well as the Catholic high school, so there is no one school that commands the allegiance of the kids on the street. They all go to different schools, but when it comes to social activities on the street or within the neighbourhood then everybody chips in. In consequence, you find the Catholics on our street tend to marry non-Catholics; and I put it down particularly to that, that they have sought out and had the company of non-Catholics for all their lives.

Mr. Chairman: Ultimate integration, there is no doubt about that.

Mr. O'Connor: Yes.

Mr. Chairman: I am trying to cut things off. I now have two new speakers on the list, and in the spirit of generosity, you know that as a chairman I am always overwhelmed, Mr. Jackson, would you like to pose one question?

Mr. Jackson: I wish you would save your generosity for when we are together debating in the House.

There is a practice across this province, a procedure that has been reported to this committee that occurred up to this point, where the public system had access to the separate system in order to inform grades 7 and 8 children of the program availability in both systems.

We have also had it reported to this committee that in some jurisdictions that process has been abandoned. To the extent that it is true, do you support it and do you feel that it is in the best interest of both systems that such openness be maintained?

Mr. O'Connor: Let me put it this way: I think a Catholic parent has a fundamental duty, a moral duty, to see that his child is brought up as a Catholic. They demonstrate this by putting their hand in their wallet if necessary to carry through that obligation. I do not see logically why you would expect a Catholic parent to positively

encourage his child to go to a non-Catholic school.

Mr. Jackson: I am talking about tolerance here.

Mr. O'Connor: I am not disputing the need for tolerance but I do not find that intolerant.

Mr. Jackson: To say "No" when you have previously been saying "Yes"?

Mr. O'Connor: Whether you said yes or not in the past is irrelevant. It is here and now. You have an obligation to see that your child goes to a Catholic school. All Catholic parents feel that.

Mr. Jackson: I will honour the chair's ruling but I would like to have pursued that.

Mr. Chairman: Maybe you can have it out in the hall.

Mr. Henderson: I appreciated and liked your integrated, synthesizing approach, and I share the view you stated that to extend funding is not necessarily divisive in our education system; although it could be, it is not necessarily so.

I also agreed with your comment that it seems not unreasonable to expect non-Catholic youngsters attending a Catholic school to have some involvement with religious instruction. In general terms, that is a reasonable expectation. Since you mentioned the teaching of comparative religion, can you just tell me to what extent comparative religion is a part of religious instruction in the separate school system now? If it is not much, would you see it being a problem to do that?

Mrs. Nolan: I understand that comparative religion is studied in grade 11 in the Catholic high schools, but beyond that I am not familiar with what other grades take this. I know in the past they have had grade 11 comparative religion and it is a credit course.

11:50 a.m.

Mr. O'Connor: I happen to know that is true. I must come clean and tell you my wife is chairperson of the religious department in a Catholic high school and she is responsible for what is taught in the religion class in that school.

Comparative religion, I know from all books on the topic around the house, is taught extensively in grade 11 or grade 12. I am not sure which grade it is, but it is early on anyway in the senior grades. I was asked to get a copy of the Koran so she could have it in school and use it as resource material.

Mr. Henderson: I know the intent of religious instruction in the separate school system is to instruct on Catholicism, but if it could be

balanced a little bit at various levels of instruction with some approach to comparative religion, that might do something to free up some of the feeling that exists in this area.

Mr. Chairman: We have heard from other groups in the past that there is a broad range of instruction that has evolved in the religious education program to the point of even inviting members of the Legislature in from time to time to talk about social justice issues and that kind of thing. If you want more information on that, we have received that in other briefs regarding the extent of the religious education. Mr. Reycraft,

as I recall, got access to the entire religious programming from the London area, which is on file now with the committee.

On behalf of the committee I would like to thank you, Mrs. Nolan and Mr. O'Connor, for your presence here today. A nice way to end on Friday. We appreciate it very much.

I expect members of the committee to be here at two o'clock sharp Monday for the last meeting before you get a week off and then the House resumes.

The committee adjourned at 11:55 a.m.

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No. S-56

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, September 30, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, September 30, 1985

The committee met at 2:04 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: Members of the committee will be relieved to know this is our last week of hearings before we get a week's break and the House resumes and we start again.

It is nice that our first deputation for this last week is made up of fresh faces. We probably need that. It has been 12 weeks of our doing this. These are the students of Saint Paul High School in Niagara Falls. I have a bunch of names here, but they are usually wildly wrong. Why do you not introduce yourselves and then take us through your brief? We will have questions after that.

SAINT PAUL HIGH SCHOOL, NIAGARA FALLS

Mr. Greatrix: On behalf of the students of Saint Paul High School in Niagara Falls, I thank you for providing us with the opportunity to speak with you today. We come to you as newly elected members of student council.

The issue of full funding is an important one to us. We are interested in Bill 30. We are concerned about the future of Catholic education. We want what is fair and rightfully ours, what has been deemed for so many years and was guaranteed by the Constitution. We want our school fully funded.

I present to you Steve Mallouk and Michelle Connolly, grade 10 representatives; Joe Wilson, vice-president; Maria Menechella, secretary; and I am Rob Greatrix, president. Together we have formulated a brief containing our views.

Ms. Connolly: Four years ago, in 1982, Loretto Academy, the only Roman Catholic secondary educational institute in Niagara Falls, was closed because of insufficient capacity and its inappropriate, older facilities. The Welland County Roman Catholic Separate School Board decided to open a new Catholic secondary school to go by the name of Saint Paul High School.

At the time there were no vacant facilities to house the new secondary institute. A decision was made to allow Saint Paul to take over Georges P. Vanier Junior High School. It should

be noted at this point that this building was never intended to be a secondary school. It contained neither the proper facilities nor the size to contain the number of students who planned to attend.

Mr. Mallouk: Since our inception four years ago, Saint Paul High School has grown greatly, both in population and in spirit. Since the 1982-83 school year, we have increased by 123 students or 26 per cent. The increased population leads to more competitive sports teams and more noise at pep rallies, both leading directly to greater school spirit.

Besides our strengthened enrolment, we have increased in the size of our facilities. While there were only three portables during the first year, we now have 11, and there are more on the way in coming years. A map showing the school's layout, along with the number of new portables added during the different years, is enclosed in your copy of the brief.

Ms. Connolly: As at most Roman Catholic secondary schools in this province, Saint Paul students are required to have a dress code and attend religious instruction. Also, senior grades at Saint Paul are required to pay tuition fees that are very costly and do not cover even one third of the cost of educating the students.

These fees most often are a financial burden for large families that have two or more members of secondary school age. After spending the first three years in high school at Saint Paul, those students who cannot afford the tuition fees must leave for a public secondary school. With the implementation of full funding, senior students would be encouraged to spend the remaining years of high school at Saint Paul, staying with their friends and keeping their school spirit.

Mr. Mallouk: Throughout our short history, Saint Paul has had to pay for its senior grades through tuition costs, private donations and fund raising. The Booster Club at St. Paul has been involved in various fund-raising campaigns that include the Club 500 draw, which is similar to a lottery, and others. The amounts raised were not nearly enough to pay for the high costs of technical equipment after all the school's bills were paid.

Even students have shown an eagerness for fund raising. Last year, in a huge concerted

effort, the student body sold chocolate bars to raise funds. The result is a bright, shiny, new Universal weight gymnasium available for use to the whole Saint Paul community. With the implementation of full funding, lottery tickets will not have to be sold and Saint Paul will not have deficits in its budget.

Ms. Connolly: With the inequality in funding for senior grades at Roman Catholic secondary schools, school boards are finding they do not have sufficient moneys to provide a wide variety of technical studies to their students. In this area, many students who decide to seek their education at Saint Paul have not been able to take these courses, to their personal loss.

Studies have shown that in recent years colleges and universities across Canada have stated that graduates who wish to enter the technical job field have not received or achieved high enough technical prerequisites or training at the secondary school level. The accent at Saint Paul is put on the arts, sciences and academics. Full funding would finally allow us to focus on more technical and vocational training, as well as keep our high calibre of academic standards. We will then be able to offer a full range of subjects, as do most public secondary schools, and meet the student's best interests over the four- to five-year period that is supposed to be the best years of his life.

2:10 p.m.

Mr. Mallouk: One course St. Paul has been trying to offer its students is on computers. At the present time, we have seven Apple II Plus computer systems and 15 Icon computer systems. Full funding would allow us to offer hands-on computer instruction to each student in the class instead of having students share systems. Extra computer systems could be utilized in our basic courses, giving students having difficulties an extra incentive for learning.

Another department Saint Paul has been successful in offering is music. However, most of the instruments used by our band and music classes were obtained from other separate high schools in Welland county. This year, with the first step of full funding, we have obtained a small number of new instruments. Many of the old ones we took from other schools have defects in certain parts, making it a tedious chore to play them, not fun as the course is promoted.

Ms. Connolly: As it is now, Saint Paul is in a small, inappropriate building. Within the next few years, we will need to obtain a larger facility to cope with increases in our enrolment. Welland

county is beginning to co-operate with the Niagara South Board of Education for accommodation, and students under the jurisdiction of both boards are beginning to work together on sports teams and extracurricular activities.

For example, last year students from Saint Paul and A. N. Meyer Secondary School, a public high school in Niagara Falls, put together a show known as the Lullaby of Broadway, which had students singing and performing fragments of Broadway musicals.

Mr. Mallouk: Not only do the students of Saint Paul feel full funding of separate schools is constitutional, as was ruled by Ontario's Supreme Court and guaranteed by the Constitution, but we also feel it has been a long withheld privilege to our society. For many long years now, Roman Catholic separate school supporters have not had a say in whether their tax dollars are to be spent on continued funding of grades 11 to 13 in the separate system. Automatically, those funds were donated to the public system.

Ms. Connolly: As a separate school in the Welland county Roman Catholic separate school system, we are concerned about receiving the tax dollars of more than 20,000 "ratepayers who are dedicated to the preservation and growth of education in this jurisdiction." This quotation was found on page 13 of the Welland County Roman Catholic Separate School Board's submission to the standing committee.

Mr. Mallouk: Today in Ontario, there are more than 450,000 students enrolled in Roman Catholic high schools. This number has been rising since Confederation in 1867, yet this growth has not hampered public schools. It is a known fact that over the past years separate school enrolment has increased and will increase in the future with or without funding. We feel it is proper that students who choose separate over public high schools have the right to attend that institution through grade 13 with government funding and that funding should not be cut off to separate high school students after grade 10.

Ms. Connolly: It has been implied over and over by public school supporters that full funding will destroy the public system. One big issue they are wielding is that students will move from the public to the separate system when full funding is implemented, causing teachers in that system to lose jobs. Yet the total enrolment in the Welland County Roman Catholic Separate School Board increased this year by only 138 students. Of these, only 62 have switched from the public to the separate system as a result of full funding.

Any jobs lost by the shift have been replaced by the Welland county separate school board.

Mr. Mallouk: We are convinced there will not be a major influx of non-Catholic students to separate high schools. There is already a small minority of non-Catholic students studying at Catholic institutions, paying tuition at all levels. Naturally, the quality of education in Catholic schools will be enhanced by full funding, benefiting separate school students in more ways than one. This is what the students of Saint Paul hope.

Ms. Menechella: Saint Paul High School, along with the other Roman Catholic schools, has an atmosphere of unity and closeness which set us apart from other schools. New students and staff can feel this on their first arrival at our school. One way in which we portray this picture of orderliness and unity is through our dress code. This gives students more freedom in that there is less competition among them and they learn how to judge others beyond superficial exteriors.

Saint Paul is also extensively involved with other public and Catholic schools in our area in sports and extracurricular activities. For example, many of our boys have joined the Niagara Falls Collegiate and Vocational Institute football team, and many of our girls have joined the hockey teams of other schools because we did not have enough students to form our own teams. Last year we participated in Notre Dame's pilgrimage for the Third World, and this year we plan to organize a similar activity as well as carrying on our tradition of Christmas baskets for the needy.

The most obvious and important force of unity at Saint Paul is our religion. It sets us apart from public schools and gives an added dimension to our education. But our religion is not treated merely as a subject, for no faith can be learned this way. Rather, it is integrated into the school system. You can find religion in the classrooms, corridors and locker rooms and in the way students, teachers and staff interact with one another, with obvious respect and genuine concern for all. There is an evident Christian attitude prevailing in our school.

Throughout Saint Paul we do not merely learn about our faith; we learn how to live it. This type of education enables students to learn how to relate better with others in society and will be carried on throughout our lives. Roman Catholics want and should have the freedom to enjoy their faith without the obstacles of discrimination we are facing.

It is unfair that students should be punished for wanting a Catholic education as well as all the advantages that full funding could supply. They should rightfully receive this chosen education as part of the principle of equality. As a senior, I am happy I attended St. Paul and would not have chosen otherwise, but younger students wanting a Catholic education should not be burdened by the high cost of tuition fees and should not have to forfeit the advantages of full funding. They should have the right to receive facilities through which they can gain not only high academic standards but also technical ones.

This would assure our students the same advantages as the public students when out of high school and into the competitive world of colleges, universities and the work force. We are simply asking for the equality we feel we deserve, and that equality includes the right to full separate school funding.

Mr. Wilson: I came to Saint Paul from a public high school where I had spent three years. I found the atmosphere at Saint Paul friendlier. At first I was nervous about having to attend religion classes, but once they began I realized I would not be uncomfortable with the others in the group who had already taken them for two years, because they consisted mainly of discussions of social life skills. This is probably why I found the school friendlier when I first arrived. The religion classes develop an atmosphere of relaxed Christian ideals which are reflected in other subjects.

Teachers at Saint Paul display true love and interest in their work. This is reflected in the working relationships they have with their students. I found a reason to excel and was given the privilege of working on several committees, and I was finally elected to student council. This is what Catholic climate means to me. There is a bond among all of us at Saint Paul. We strive for goals together. The main thrust of our student council this year is unity.

When I came to Saint Paul, I realized I had been missing something. I had been attending church but had not been living my faith daily. Along with my studies, I learned that community, thoughtfulness and equality are important to make a well-rounded, thoughtful citizen. Anyone going into a Catholic high school as a transferee or new student would have no difficulty. Neither would there be any divisiveness. We have already worked together so well.

Because of declining enrolment, even public high schools are not giving complete technical programs. With funding and the co-operation

between our boards, both public and separate students can benefit.

2:20 p.m.

My experiences during the past two years at Saint Paul have better equipped me for life. One of these is winning the position of vice-president on the student council. So far, this has presented me with responsibility, leadership, planning for the future and, above all, life experiences. The choice I made to become part of the Catholic atmosphere there has helped me in my academic studies, relationships with others and in becoming friendly with the teachers. The steady improvement in my marks is proof of the unity at school.

I am fortunate to have somebody to pay my tuition but others are not so lucky. Saint Paul is a good school and those who attend realize it. When the time comes for students to pay to go there, they will not be able to; they will move to the public school system. When they leave to attend other schools outside the Catholic system their goals will be lost. People think of tuition only at university, but because Catholic high schools are not totally funded it comes up earlier in life than in the public system. I feel those students are losing out on a Catholic atmosphere education.

I am one of the few who has gone through high school to grade 13, and I feel being at Saint Paul will offer me more in life. Having experienced the discipline of the dress code will benefit me in the future by having the discipline and being able to handle rules and codes more easily. Representing the school at functions such as this is my way of helping the school any way I can. It has shown me the benefits of a Catholic education, and to be able to help in return pleases me.

I know I will not be part of the Catholic high school next year and I will never see the benefits of full funding at Saint Paul, but those coming up will benefit. I am secure knowing I have contributed in my small way.

Mr. Greatrix: The students at Saint Paul High School look forward to the day when our school is fully funded and we will be able to share in the financial support that is now afforded only to students attending public high schools. We urge you to support Bill 30, thereby guaranteeing equality in education.

Mr. Chairman: I thank Mr. Greatrix and all of you for your participation in this well-presented brief. Congratulations on your election. You are more recently elected than the rest of us here. I presume you had some part in raising

the noise at the pep rallies. Are there questions from members?

Mr. Allen: I will add my welcome to the students from Saint Paul for coming all this way to make their presentation.

You have obviously studied the bill and thought about the issue. You probably know that some of the questions we have been asking have been about non-Catholic student access to separate schools, and the question of whether and under what circumstances non-Catholic students who come to the separate school should be exempted from religious education activities and classes in your schools.

Some are suggesting we should perhaps expand the exemptions that are in the bill. Under the bill, a student who went because of a program need could be exempted. If it was by far the most convenient school for him, and it would be inconvenient to go to a public school by reason of handicap or what have you, he would be able to be exempted. However, a student who went by choice would not be able to be automatically exempted. That is what is in the bill.

What is your own feeling about students coming to your school and wanting to be exempted from some of the classes you have to participate in? On the other side, how isolated would those students feel if they did not participate fully?

Mr. Greatrix: In the case of a student who has to come to Saint Paul because of handicap or because it is far more convenient than any other school, and his only choice is to come to the Catholic system, I do not feel he should have to take religion courses if he is not Catholic, because he has been forced to go to the Catholic school. In the case of any student who attends a Catholic school by choice, a Catholic school is for religion; otherwise, it would be just a public school. That is what it is there for, the Catholic religion. If they go by choice, they should be taking religion classes.

As to what is in the bill, not having to take religion classes and having a choice to take something else, is something that would have to happen if the school is fully funded. As far as I am concerned, if they go by choice they should take religion classes.

Mr. Allen: You think the choice should be made very consciously, knowing the nature of the school, and the student who comes should not ask for an exemption. What happens if a family feels it is a good place for him to be personally, perhaps because it is known to be a more disciplined school than the public school in that

community—not because it is a public school but because it just happens to be that way—and yet there is some concern on the family's part about the religious studies class? Would you see any reason for him to want to be exempt or to need to be exempted from that? Would you think he should be?

Mr. Greatrix: If it is by choice they go to the Catholic school, the religion class should be taken.

Ms. Connolly: Our religion class is not totally based on the Bible. Guidance and other social activities are involved. If they do come to the school by choice, they should be involved. Also, we can learn from them, as they can learn from us. There should not be any divisiveness.

Mr. Allen: So you think parents who are approaching a separate school should learn as much as they can about the nature of your religious education classes and that if they asked that question, they probably would want their children to be involved just because they are so helpful?

Ms. Connolly: I do not clearly understand your question; sorry.

Mr. Allen: You find those classes to be helpful yourself and you expect they would be for anybody, I gather.

Ms. Connolly: Yes, they are social and there are also guidance aspects, like how to get into the work field.

Mr. Allen: Is it your feeling about those classes that you are not being asked to simply adopt somebody else's point of view, but that you are being encouraged to think for yourselves?

Ms. Connolly: To a certain extent, yes, but also be able to work with others.

Mr. Allen: The last part of my question comes back to the question of isolation. If the student who is non-Catholic comes to your school and does not participate, how isolated do you think he would feel, knowing how active your religious program is and how important your religious studies classes are?

Ms. Connolly: I do not think he would be isolated. You can feel the spirit in the halls all over the school, not just in religion class.

Mr. Chairman: Any other questions from committee members? If not, thanks very much for coming all the way from Niagara Falls. We appreciate it very much.

We are going now to the Welland group to hear their story. The next presenters are from Notre

Dame High School, Welland. This is item 749. One of our presenters has already been before us.

Please begin any way you would like and then we will open it up to questions afterwards.

NOTRE DAME HIGH SCHOOL, WELLAND

Mr. Naphin: I would like to begin our presentation by expressing our gratitude for the chance to speak before you. Your time and the opportunity are very much appreciated. We are grade 12 students from Notre Dame High School in Welland, Ontario.

I am Jeff Naphin. To my right is Ms. Ann Robb and to my left is Matthew Muggerridge.

Ms. Robb: There are several reasons my colleagues and I are convinced about the rightness of full funding and consequently are enthusiastic that, thanks to Bill 30, completion of the separate school system is in sight. We would like to begin our brief by explaining two reasons for our conviction.

2:30 p.m.

The first reason that we believe completion of the separate school system is right is that we believe full funding is fair. When in June 1984, Premier William Davis announced the proposed completion plan there was a general feeling among students of our school, "Boy, are we lucky."

It was later realized that this feeling was a mite exaggerated. Our school would not be getting an Olympic-sized swimming pool, we would not be getting a domed stadium. We would be getting books, supplies and physical education equipment that would not require carbon dating to determine its age. We would get what the public system already has. We would get the equality the separate system deserves.

As students of history, we are amazed it has taken this long for full funding to become a realistic possibility, especially when the right to exist as a publicly funded system was granted to us by the British North America Act. It makes no sense to us that a population comprising almost half of this province's people is still treated without equal regard and is denied a proportionately equal piece of the pie it helps to bake.

Our parents pay taxes just as parents of public school students do, yet ours have the additional burden of several hundred dollars every year, the tuition they pay to enable their children to finish their education for the last two or three years in the same publicly funded system they have been in for 10 to 12 years. They do this because they

want to guarantee a Catholic education for us to the end of high school.

The majority of our counterparts in grade 12 in Catholic high schools will have paid out about \$2,600 simply for tuition and books before they leave high school. This is before a single cent is spent on post-secondary education. The payment of this money sometimes has a crippling financial effect on the parents and in some cases on the students compelled by circumstances to earn their own fees, compounded when a family has more than one child enrolled in a Catholic private school.

Our second conviction concerning the rightness of full funding is that full funding is logical. The separate school system existed at the time of Confederation so it is only logical that full funding be constitutional. As students enrolled in a Catholic high school in Ontario, we are entitled to the basic education and right that section 93 of the British North America Act provides to those enrolled in Catholic schools. Separate school supporters were free before Confederation to direct all their property taxes to separate schools. It has therefore been an infringement on these rights that this policy was discontinued after Confederation by Ontario laws.

Rather than harp on the past injustices that have been done to the separate school system—because that will not solve any problems—we would like to emphasize the logic in the idea of continuity. Continuity simply means that students already enrolled in grades 9 and 10 may carry on without interruption. It is not as if we were introducing a whole new system. It is simply a continuation, the completion of a system that is already in existence.

That there is total logic in completing the separate school system can be illustrated further with the flip side of the coin. Occasionally the suggestion surfaces of incorporating all schools in existence into one system. We have only to look around us to see that we live in a pluralistic, multicultural, capitalistic and democratic society. Therefore, it seems utterly illogical to expect only one school system to meet the needs of such a varied society. To put it even more strongly, we do not believe it is just to limit our pluralistic society to only one system.

Recognizing the impossibility that any single system could sufficiently satisfy diverse fundamental convictions and values and taking into consideration that a viable alternative public system is in place, distinguished by its religious character and purpose and consistently chosen by a significant percentage of the population, it

seems both illogical and unjust not to continue the funding of this system to completion.

In 1985 in Ontario, a basic education ends at grade 12, not grade 10 as it did at the time of the BNA Act. A reasonable choice of publicly funded school systems would recognize, respect and respond to the variety of fundamental needs, educational priorities and values in our province.

Mr. Naphin: Because we believe that completion is both fair and logical, we feel dismayed at some of the negative comments we have encountered about our separate schools. We would like particularly to speak to the issue of divisiveness. Of all the accusations used to reverse the promise of completion, divisiveness has to be the most unfounded and ridiculous. To suggest Catholic high schools are a dividing factor in the community, in either theory or practice, serves only to reveal the accuser's ignorance of the facts.

The theory or concept of divisiveness has no foundation because the principle is contrary to everything the Roman Catholic religion teaches. The fact is we are taught to respect and appreciate the beliefs and theories of others even if they do not agree with our own. If Catholic schools taught otherwise, they would be defeating their purpose and may as well close tomorrow. However, as stated earlier, this is not the case.

It is evident that divisiveness as a result of religious difference does not exist among high school students in practice, either. One should not assume students associate only with their schoolmates and those of their own religious beliefs. At our time in the human life cycle, the religious doctrine to which a companion adheres does not particularly matter to us, as long as the person is basically good and observes some basic rules of human morality.

It is also our belief this feeling we now have will serve as a sufficient base against any feeling of divisiveness in our future lives. When one associates agreeably with non-Roman Catholics in one's youth, one is highly unlikely to turn against them later in life simply because, with respect to religion, they are different.

To prepare this brief, we reflected seriously on the existence of non-Roman Catholics already within our system. A very basic way to describe our attitudes about them is openmindedness. Non-Roman Catholics often participate in and contribute to our religious programs at school. These students frequently offer interesting opinions and in so doing offer us the chance to enlarge our information and perspective. There is never any indifference shown to these students. The

feeling in our school is that if they are willing to partake in our religious studies and appreciate our beliefs, we can afford them the same courtesy. We are willing to welcome them into our school.

Recently, one of our classmates was killed in a tragic car accident. This student was a very popular figure at our school and had been elected to the student council. Many knew he was Anglican; many did not. It made no difference. Here was a fellow student, a friend who had embraced the spirit of our school and the school had embraced him. At an ecumenical service celebrated jointly by Anglican and Roman Catholic clergymen, 600 of his classmates joined his friends and family, representing various religious affiliations, in mourning his death. Not once was it suggested the service was improper in its ecumenism.

We cannot state too strongly it is our belief that divisiveness as a result of Catholic schools does not exist among students. Consequently, in our opinion it is an impotent argument against completion.

Mr. Muggeridge: Having said all these things, we would be less than sincere if we did not admit we have certain reservations about possible amendments to Bill 30. We would like to share these concerns with you.

Basically, we would like the final bill to protect the powers our separate school boards now possess with regard to teacher hiring and student admission. In the granting of public funds to separate schools to complete the system, we realize some public school teachers may be labelled redundant. We do not believe public school teachers should lose their jobs because of completion, but we believe there are ways to accommodate such teachers.

We think the major concern is to ensure that teachers who could not respect the reason we exist or could not participate with us, guide and be models for us in the meaning of religious faith, should not be forced into our system. We think the goals of separate schools, our formal classes and religious activities, are based fundamentally on Catholic beliefs. None the less, we do not perceive major problems with teachers sharing basic Christian beliefs transferring to become part of our system.

That is why we are encouraged by the volunteer system already employed by some school boards throughout the province, whereby public school teachers who understand why we exist and would like to participate in that purpose, volunteer to transfer into the separate

system when jobs are advertised, and separate school boards give these teachers priority when it comes time to hire.

2:40 p.m.

We feel including such a policy in Bill 30 would demonstrate the government's understanding and respect for the fundamental difference in a Catholic education, which was the reason for a separate system in the first place. The government does not need two needless, identical systems. Such a policy would indicate the government is assuring the public that the interests of the students who have chosen a separate school education and not a public school education are first and foremost.

Our experience proves that teachers of other faiths teaching in our high schools can be committed to the role of Catholic secondary education. As long as this commitment continues to be a factor in future hiring, it is difficult to foresee what problems might arise. In our opinion, it is not the church that teachers go to on Sunday, but rather the quality of their teaching and the example of their lives. We do not believe the goals of our separate schools are or would be weakened by the hiring of non-Roman Catholic teachers willing to accept and respect our religious character.

Another issue of concern regards the admission of non-Roman Catholic students. Again, the religious purpose and dimension of our education is the only thing to justify an alternative public system. Ontario does not need two separate yet identical school systems. We agree with the clause in Bill 30 that provides that if a non-Roman Catholic student attends a separate school out of necessity, he or she should not be required to take religion courses. It is logical to assume, however, that a non-Roman Catholic student who chooses a separate secondary school over a public school does so because of the availability of the religious programs and activities, and we hope that the final legislation stipulates that students who choose our schools accept the whole package.

As we made clear when we spoke about one of our students who died recently, there are non-Roman Catholics in our school and our experience is that, like non-Roman Catholic teachers, they do not weaken our education, our atmosphere or our goals. In fact, sometimes they enhance them. We believe that any students in Ontario who choose high school education with a religious dimension should be and would be welcome in our schools as long as they under-

stand and respect the religious character of our schools and as long as space permits.

Mr. Naphin: Let us conclude by saying that separate schools have existed in Ontario for about 120 years. They are currently funded to the end of grade 10. All we are asking for is the completion of an already effectively and widely established system, the separate school system of Ontario, for which the government at this time supplies only partial financial support.

Even if they were not granted funding, the separate school system in Ontario would manage to continue to exist and to serve its vast population. The history of our schools, logic and fairness, all seem to dictate that, without abandoning or diluting our religious purpose or atmosphere, it is just, both morally and constitutionally, that the separate schools of this province be granted equality of opportunity to attain the best possible educational facilities, supplies and conditions under which to learn.

Mr. Chairman: Thank you very much for your presentation and for coming from Welland to give it to us. I find it a unique suggestion that the domed stadium should be in Welland. I think we should pass that on to the other committee dealing with the matter. Put your school inside it? Why not?

I also like the idea of having a multiplicity of schools. We can have our capitalist schools and some good socialist schools around the province. It would be a very good improvement. I think we should look into that. It has been very helpful. Maybe that is not what you are suggesting.

Are there questions from committee members? Not on the question of socialist schools, I hope.

Mr. Davis: No, Mr. Chairman, I will not touch that.

I want to thank these young people for coming and giving us a refreshing response to Bill 30. I certainly appreciate your coming today and being with us. I have a very easy question for you. I would like to know whether you have a chaplain at your school.

Mr. Naphin: Yes, sir.

Mr. Davis: Can you tell me what your chaplain does? Is he a priest or a lay person?

Mr. Naphin: He is a priest.

Mr. Davis: What does he do?

Mr. Naphin: Religious guidance. I know he teaches a religion course, but as religious counsellor he helps people with their problems. I do not know who of you here have children, but the teen-age years are very rough years and he

serves as a guiding factor. He gives reassurance. Sometimes, when necessary, he is a shoulder to cry on. He is a very good man. I know, especially in our case, he serves mostly as guidance, as a person who will tell you, "It is all right." Sometimes people cannot talk to their parents. He always has an ear for a student.

Mr. Davis: He teaches religious ed?

Mr. Naphin: He teaches one course.

Mr. Davis: I would assume he is responsible for the masses and the various liturgical expressions of faith?

Mr. Naphin: Yes.

Mr. Davis: He acts as a counsellor?

Mr. Naphin: Yes.

Mr. Davis: Do you have guidance counsellors in your school?

Mr. Naphin: Yes.

Mr. Davis: What do they do?

Mr. Naphin: They work more with regard to post-secondary education. We have a very large school and have more than one. They help with post-secondary choice of university, and what decisions should be made with regard to our curriculum.

Mr. Davis: Do they teach as well?

Mr. Naphin: Occasionally.

Mr. Davis: Do they do personal counselling? Do students go to them to share their problems and get guidance?

Mr. Naphin: Occasionally; not as much as with the chaplain.

Mr. Davis: So they do personal counselling as well.

Mr. Naphin: But they are more—

Mr. Davis: They have additional responsibility.

Mr. Naphin: Yes.

Mr. Reycraft: You commented that your school is rather large. Could you tell us how many students there are?

Mr. Naphin: I believe we have 1,253.

Mr. Reycraft: Would you describe the types of technical programs offered in your school?

Mr. Naphin: It is very limited, as far as I know. We have industrial arts and that is about the extent of it.

Mr. Muggeridge: There are computers.

Mr. Naphin: We have a computer program too, industrial arts, home economics, and an art course, if that is technical.

Mr. Reycraft: There are no specialized shops?

Mr. Naphin: No. No auto mechanics.

Mr. Reycraft: Are those kinds of shops available in the public secondary schools in Welland?

Mr. Naphin: Yes.

Mr. Reycraft: Have you ever considered that you might be missing something by not having the opportunity to take advantage of the courses offered in those shops?

Mr. Naphin: I have never had the desire to take advantage of those courses. People who do take it will go to the public system. If we were the ones who had the technical facilities, public school students would be allowed into our system.

Mr. Reycraft: Have many of the students who were in your grade 8 class, assuming it was in a separate elementary school, have gone to the public school for those technical programs?

Mr. Naphin: I had a class of about 35 and I believe three may have gone for that purpose.

Mr. Chairman: You are not going to get very many Catholic mechanics in Welland if this continues.

Mr. Naphin: No, I guess not.

Mr. Reycraft: You also mentioned encountering negative comments about separate schools. I am interested in something else. You spoke about socially, outside the school, having the opportunity to interact with students who went to the public schools and I assumed non-Catholics. Have you experienced any reaction to this issue from those people?

Mr. Naphin: From students, no, I personally have not.

Mr. Reycraft: What about the others?

Ms. Robb: Some of us have. I have talked to people who are curious about it and who have a few reservations but that is just normal. They want to know how it is going to be implemented and how it is going to affect them.

Mr. Reycraft: You have had no arguments about it?

Ms. Robb: No, not really; just a lot of questions.

Mr. Muggeridge: Small-talk about what is happening at Queen's Park really.

Mr. Chairman: I have noticed that. Even in my own family it is like that.

2:50 p.m.

Mr. O'Connor: May I just add my thanks and congratulations to Jeff and Ann and Matt for a very positive and well-thought-through brief to this committee.

I want to pick up on Mr. Reycraft's line of questioning dealing with sharing. Is there no interchange between students of your school and other schools with respect to classes? Do any public school students take classes at your school and vice versa?

Mr. Naphin: No.

Mr. O'Connor: Is there any sharing between the two systems of any other factors, such as equipment and transportation needs?

Mr. Naphin: I do not believe so. There was an occasion in grade 9 when I took French and we were using textbooks loaned to us from a public school in the area. Other than that, I have never encountered it.

Mr. O'Connor: You have totally separate busing systems?

Mr. Naphin: Yes.

Mr. O'Connor: There is no kind of capital equipment exchange of that kind?

Mr. Naphin: No, sir.

Mr. Chairman: Any other questions? Who is responsible for the carbon dating in the library? Thank you very much for a fun and informative presentation and for your participation in questions and answers. It was great.

Your member, Mr. Swart, has arrived behind the scenes, ready to pounce on you when you get out.

Our next delegation is Mrs. Mary Smith. Mrs. Smith, would you like to come forward? This is item 750. Welcome.

MRS. MARY SMITH

Mrs. Smith: I would like to thank you for the opportunity to come and speak in support of Bill 30. I know you have sat through many presentations and you will be glad to know that mine is not a long one.

I do not want to bore you with yet another historical background to this bill but I would be remiss not to mention that I think this issue is a fair one based on that perspective alone.

I was extremely pleased when I heard Premier Davis make his announcement last June and I was even more delighted when I heard that almost the entire Legislature had given its support to this bill. Mr. Conway deserves commendation for assembling all the pertinent facts and presenting a bill so soon after coming into office.

The six principles he has outlined are key elements in the minds of most people affected and from there they can find local solutions based on their own needs. Our separate school board has agreed to work closely with Niagara South Board of Education to make this transition period as smooth as possible.

I have been delighted in recent years at the great steps there have been in ecumenism. It has been marvellous to see church groups and leaders working together on so many issues. I had felt that all the rivalry and ill feeling among religions were a thing of the past. You can imagine my disappointment upon hearing their statements on this issue.

I find it difficult to understand why the extension of funds to Catholic high schools should pose such a threat to them. Some of the arguments, such as youth need to be trained to live in a pluralistic society and to mix with people of diverse backgrounds, bother me. I went to a Catholic high school and teacher's college but that did not limit my friends to Catholics.

The best friend I grew up with was Protestant. I married a non-Catholic and some of my best friends are non-Catholic. I am sure that all of you have friends of different religions. In Canada today we do not ask what a person's religion is; we judge them on how they live their lives. As for mixing with people from diverse backgrounds, Catholics span the gamut too, in every walk of life and from just about every nation. There certainly is diversity.

I get annoyed when I hear presentations projecting that Catholics are going to become divisive and may turn Canada into another Northern Ireland or Lebanon. I am sorry people could possibly feel that way. To my mind, it is ridiculous. Roman Catholics have their own system today, funded by the government, from junior kindergarten through to grade 10. I do not think there are many people who consider it a divisive element in our country. If we are not divisive today, why are we going to be divisive tomorrow merely because the government is going to fund two more years of high school?

My children are still in elementary school in grades 6 and 7 and their right to a Catholic education is acknowledged by all. The fact that quality education is presented at both Catholic and public elementary schools is accepted, indeed demanded. That right to quality education in either the separate or public schools is not questioned until they reach grade 11. Then, suddenly, the separate school students become

ineligible. To me and to many others that is unjust.

As has been mentioned in earlier presentations, we have one of the best education systems anywhere and we work hard to keep it that way. There is much greater involvement on the part of parents than ever before. Parents are concerned and follow their children's education closely and want to be involved. I do not just mean on hot-dog days or on field trips; but rather, they get involved right at the classroom level, with close interaction between the parent, child and teacher. Both boards, separate and public, offer comparable programs, catering to the needs of all students who need special education.

I live in the country and my children play with neighbouring children who are not Catholic; when they sleep over I drop the children back at their homes so they can go to church with their parents while we go to our church. The children all accept this, and each other, without question.

With regard to living in the country, one thing that could be improved—and I think this is already in the works—is transportation in the rural areas. The schools in town are all close to one another and the children in the area all know each other so combined transportation seems a logical offshoot of this bill.

I would like to tell you something that happened this year which may give you a better indication of why Catholic schools are important to me. At the beginning of September, the principal of the school my children attend invited all the parents to attend a mass to celebrate the opening of the school year.

It was a beautiful experience. The children all took part and we reflected on how special we are in God's eyes, how important we are and how we have all been given our own special gifts. We were encouraged to work hard to be the best we could be, to develop to the fullest whatever gifts we have been given. We thanked God for our specialness. I walked out of there feeling like a million dollars; I felt special and very close to God.

I was so happy that my children had the opportunity to be in a Catholic school and that God is at the centre of their lives. We are fortunate to be in Canada, where freedom of religion is mandated in our Constitution.

One of the principles Mr. Conway outlined was the importance of the viability of the public schools. That is important too, and I do not think this legislation detracts from it at all. Competition is healthy in any facet of our society, be it industry, politics, athletics or education. In a

monopoly there is a much greater chance of stagnation, to be satisfied with mediocrity.

With the dual system of education as it exists today, to grade 10 anyway, parents have a choice of which school they would like their child to attend. We are fortunate in our area that both boards co-operate for the benefit of the children.

Last year in Education Week, my daughter took part in a spelling bee in one of the local public schools. She did not win, unfortunately, but the children sat side by side, not segregated into Catholics and non-Catholics. She thoroughly enjoyed the day. It was an enriching experience for all concerned, myself included, because I was asked to be a marker.

3 p.m.

She also had the opportunity of taking part in a public speaking competition where, when we arrived, she did not choose to sit beside the other girl from her school, but rather beside another friend from the public school. Children are children everywhere, if they are allowed to be free. I have not seen any evidence of the divisiveness which the opponents of this legislation proclaim.

I was talking to a friend recently, who incidentally is an eye specialist and could easily afford to send his child to a private school, and I asked him why he sent his daughter to a Catholic high school and if he had experienced any hassle over this. "None at all," he replied. "It was my daughter's decision to go to that school and we went along with it. Several of her friends from public schools are there with her too."

I asked him how he felt about her taking religion and he replied that although she had been exempt because she was a non-Catholic he had persuaded her to take it for two reasons. First, he figured she had wanted to go to that school so she should buy the whole package, not just part of it; and second, since neither he nor his wife considered themselves religious, this way their daughter could make her choice on religion an informed one. She has just started grade 11, loves it and is doing very well. What more could a parent ask?

As I said earlier, I want my children to be educated in a Christian environment; that is most important to me. I do not mean I only want them to learn religion. I want their whole curriculum to reflect a way of life. I would like them to explore and respect other religions, to be able to critique society from the way they live out the gospel. I hope our way of life at home will be the catalyst for their lifestyles, but it is gratifying to know it is continued in their everyday school lives.

The separate schools are here and have been in existence alongside the public schools since pre-Confederation, for the most part harmoniously. You are not creating something new, but you have the opportunity of righting an injustice that has gone on for too long. I wish you well in your deliberations.

Mr. Chairman: Thank you, Mrs. Smith. You mentioned you were from the country, but we did not get a clear idea geographically.

Mrs. Smith: I live between St. Catharines and Welland. My children go to a Welland county separate school.

Mr. Chairman: You mentioned your eye specialist friend's daughter being exempted from religious study because she is non-Catholic. Is that in the Welland system?

Mrs. Smith: That was when she enrolled. She is now in grade 11 and they changed that last year. When she started my friend said she came home from school and was given the choice and he persuaded her to take it. She is glad she did now.

Mr. Chairman: Is there a bylaw of some sort within the board that schools allow an exemption?

Mrs. Smith: I do not know whether there is a bylaw within the board, but I know it has changed because I have another neighbour, again a public school supporter, whose son started last year. He did not have any choice; he had to take it. His parents also said they were glad he was taking it.

Mr. Chairman: I had not heard of any exemption in any of the systems we heard from across the province.

Mrs. Smith: I am not sure why. Maybe I am wrong in this, but I think it was because there were a lot of public school students electing. Incidentally, it is Notre Dame high school, which you just finished hearing from, that this child attends. There were a lot of public school students attending.

Mr. Chairman: It is my understanding from one of the other presenters we had last week that there are less than five per cent at Notre Dame.

Mrs. Smith: I do not know.

Mr. Chairman: We can pursue it further with others.

Mrs. Smith: I can only say what my friend said.

Mr. Chairman: Are there questions from committee members?

Mr. Offer: Thank you for your presentation. It has given us, as we have heard from others, some sense of the catholicity and what makes up the separate school. Of course, it is of extreme importance. I would like your opinion as to the effect of a non-Catholic teacher in the separate system. Do you think there could be a negative or positive effect, or any effect?

Mrs. Smith: I used to teach in the separate system and one of the girls I taught with was a Jew. She did not teach religion, but her way of life was exemplary. She did not teach a religion class per se. I also have non-Catholic friends who teach in the separate system. It does not bother me. I would want to know, as a parent, that the teachers who are there respect my beliefs as far as the teaching of children goes, but, as I said in my presentation, lifestyle is more important to me.

Mr. Offer: Given the fact that there is a respect for what the Catholic school is about, you would expect there would be no negative feature in regard to the non-Catholic teacher in the system?

Mrs. Smith: Not for me as a parent. As I say, my friends are non-Catholics and there are very many good people; we do not have the monopoly on good people.

Mr. Allen: Thank you for a warm and human document that gives us real examples out of your own life. That is always very helpful.

Is there a sufficient number of non-Catholic students in the school you are familiar with so that you are also familiar with non-Catholic parents at the school events?

Mrs. Smith: At the school my children attend?

Mr. Allen: Yes.

Mrs. Smith: That is difficult for me to answer right now. Last year my children enrolled in a special education program which takes them across town, so I have not had time to talk with the other parents about whether they are Catholic or non-Catholic.

Mr. Allen: Either in your present experience or in your past experience as a teacher, is it your awareness that the parents of non-Catholic students—presumably they would be non-Catholic—participate fully in the life of the school?

Mrs. Smith: Yes, they do. I am thinking now of another neighbour in primary school who took part. When we had celebrations or whatever, this particular child would join us and his mother would always be there too.

Mr. Allen: So there is no reticence in backing up their children, even though the system happens to be of a different religious persuasion than they are?

Mrs. Smith: I have not found that either. They usually want to support the system in which they enrol their child.

Mr. Allen: You raised a question about joint services, particularly with regard to transportation. You felt the boards could work together and do much better by everybody by doing so. Do you think it would be helpful in this legislation to have a provision requiring boards to establish joint committees where they do not exist? Such joint committees might review the things the boards could do in common to each other's benefit and report regularly on them.

Mrs. Smith: I think it would be beneficial. There should be a good rapport between boards, working whenever they can to make life long and harmonious.

Mr. Allen: Thank you.

Mr. Chairman: Are there other questions? Seeing none, Mrs. Smith, thank you very much for coming. We say it to many of our individual presenters and we mean it as much with you as we do with the others. It is very important for us to have individuals as well as groups and organizations come before us. We appreciate your taking the time to come and speak to us today. Thank you.

Mrs. Smith: Thank you.

3:10 p.m.

Mr. Chairman: The next presentation is from the Halton Roman Catholic Separate School Board. That is exhibit 225, and 225A is the update you have just received. Mr. Davis, if the listing is correct, you are going to be able to ask a chaplain what he does directly.

Mr. Davis: Very interesting.

Mr. Chairman: Perennial questions start coming up, or thematic questions; let me put it that way instead. You may have heard earlier on or you may have missed Mr. Davis asking questions about what chaplains do. If there is a chaplain, as it says on my list, Mr. Davis can actually ask the question directly, which would be a great help to all.

Would you introduce yourselves? I have the names here, but often they are not as they appear in the end.

HALTON ROMAN CATHOLIC
SEPARATE SCHOOL BOARD

Mr. Dewling: Let me begin by offering you the very genuine gratitude of the Catholic community of Halton for permitting us this opportunity to complement the brief submitted previously, known to your committee as exhibit 225.

I would like to take this opportunity to introduce the members of our team. We have Miss Donna Finelli who is a grade 12 student at St. Ignatius of Loyola Secondary School in Oakville. Donna will provide you with some insights from her perspective as a student currently in receipt of service in a Catholic secondary school. Let me also introduce Mrs. Carol Price and Donald Schrenk, parents of students in the Catholic school community of Halton. My name is Eric Dewling, chaplain at Assumption Secondary School in Burlington.

Our conviction in respect of Bill 30 coincides with a long-held view in the Catholic community of Ontario, a view well developed in 1971 by the Ecumenical Study Commission on Public Education, that the most progressive approach to social development as it relates to the education of our children is through the nurture of the dual school system. Thus, we believe pluralism is fostered. Bill 30 is seen as augmenting in a responsible way the Catholic school system that has proved over the years to be educationally viable and, we believe, a significant contributor to such pluralism.

We agree entirely with the Minister of Education (Mr. Conway) when he states that fundamental to Bill 30 is the premise that "the distinctive mission of the Roman Catholic separate school system must be maintained." I would like to take this opportunity to review with you briefly the nature of that mission and of my responsibilities as a lay chaplain in Assumption Catholic secondary school.

The Catholic school has two interrelated roles. It is an educational institution that, like others, strives to educate its students in the best possible manner. The Catholic school, however, is also something else; it is a Christian community. The task or mission of the school is not only that of providing the opportunities for academic achievement but also of fostering the continuation of the Christian community through providing an atmosphere conducive to growth in relationship to Christ for community members, staff and students.

The ultimate hope contained in the mission of Catholic education is that our students will live their lives with a sense of human dignity and a deep concern for the good of others, that they will

become visible signs of a world redeemed by Christ. As a result of this *raison d'être* and this sense of self as a Christian community, the Catholic school will require key personnel beyond the regular academic staff normally found in most secondary schools.

In addition to religious educators, the Catholic school will often employ a chaplain, such as myself, to assist in carrying out the essential elements of our mission. Chaplains, ordained or lay such as myself, use their various talents in meeting both the sacramental and pastoral needs of their school communities. Simply stated, the school chaplain is responsible for the life of the Christian community within the school, carried out in co-operation with the principal. The chaplain's task is to identify and understand the needs of the school community, to take timely and appropriate action and to supervise its implementation. To be more specific, the chaplain acts as a Christian resource person employed by the school to serve the school in the following ways.

Formation of staff: This can take the form of individual and general counsel, as well as providing opportunities for staff members' spiritual and personal growth. The chaplain also has a special role in relation to the religion department, to advise and to assist teachers on specialized topics, as well as in the preparation of classes for liturgical observances, such as individual class masses.

Formation of students: While you will note that I indicate a primacy of role to staff development—this, of course, because of the profound effect of the witness of 80 dedicated men and women in our school on the development of our youngsters—most of the activities undertaken are youth-oriented. In that regard, the chaplain organizes, encourages and implements a number of activities, such as personal counseling and peer ministry programs involving students in projects that assist the poor, locally and abroad, co-ordinating and planning the religious celebrations undertaken in our school.

A key element of school organization: Notwithstanding the efforts of others, and these are considerable in the Catholic school, the chaplain is responsible for establishing an active life of prayer in the localized Catholic educational community. In addition to those areas already mentioned above, we undertake to ensure that the school's prayer life is topical and timely, through reflective preparation of daily prayer, monthly themes and appropriate liturgical celebrations.

Finally, as the provisions of Bill 30 become a reality, I envision the chaplain as being a key person in making non-Catholic staff and students feel welcome and in addressing any concerns they may have at any time.

As a lay Catholic active as a chaplain in our high schools, the maturing of both the spiritual personality and the expression of a Christian life is both a goal for me as an individual and for those for whom I am called to serve.

Ontario has always had dual publicly funded boards of education and Roman Catholic separate school boards. It is my hope that the inevitability of full financing will mean that all students who enter the separate system will be able to continue and complete their education within our Catholic school community, thus facilitating chaplaincy services to our young people.

Mrs. Price: Mr. Chairman, as a parent of five children, three of whom are currently attending a separate school in Halton, I am pleased to have the opportunity to outline very briefly my hopes and expectations for that school system.

Before I begin, I would like to say that I am grateful to the minister and indeed to the Legislature of Ontario that has adopted Bill 30 in principle. This act of you, our elected representatives, brings to full maturity the second stream of Ontario's very capable educational system. This is an exemplary expression of our society's coming of age, the redress of a long-standing injustice. I believe the adoption of Bill 30 also indicates that type of maturity.

With the extension of full funding to Roman Catholic secondary schools, Catholic students now will have equal opportunities to receive both a primary and secondary education. I also welcome the opportunity to direct my secondary school taxes to the support of our Catholic school system.

I send my children to Catholic schools because it is there that the Catholic ideals and values that are taught in my home and in our parish are continued and reinforced. I believe these to be fundamental to the mission of Catholic education. These are not just taught in a 40-minute religion period once a day. Rather they are integrated into every period of the school day. Our schools are in place as a founding principle of our country, to facilitate this integration of the Catholic way of life.

From kindergarten to grade 11 now, our students share in three very important sacraments. These are stepping stones in our faith and form a basis for our children's lives as they enter

the senior division and then continue into mature citizenship. The adolescent years are formative for the next generation. In our system, we are trying our best to join home, church and school and to have these together by teaching common morals and values which we believe make our youth productive citizens and responsive Christians for tomorrow.

Furthermore, as a parent, I do not see any difficulty in accepting non-Catholic students in our system. I would expect that any person who voluntarily sends a child to our system understands the basic philosophy of that school. We do not wish to indoctrinate any non-Catholic students, nor do we see any reason to exempt them from religious studies. Over the years there has never been any difficulty with full participation by all students in the complete school program.

It has been my experience that on occasion non-Catholic parents have requested the provision of Catholic education for their youngsters. It is my understanding that, in most instances, these parents see a significant value in the model that is at the heart of the Catholic school. At the elementary level these parents support, and indeed advocate, participation by their youngsters in religion classes and in the prayer life of the school. It is only when the reception of the sacraments takes place that these children are not expected to participate.

I understand that these parents routinely bring to their children on a private basis an understanding of the differences between religious practices in the Catholic schools and those of their own personal expression of faith. At the secondary school level the same opportunities exist.

3:20 p.m.

I would, therefore, like to suggest to the committee that these opportunities still be provided to non-Catholic students. The proposition that has been oft repeated before you of a universality of access has been presented to require that every non-Catholic parent would indeed have to forgo what has been the practice in Halton, a practice I know to have been very much the desire of a significant number of non-Catholic parents. Why tamper with something that works?

While we recognize that there may be occasions when a student has to attend our school because of a unique program or geographic opportunity, we think that in the main the legislation should provide an opportunity for most non-Catholic students to enter into the full life of our schools with the only exception being the reception of sacraments.

Miss Finelli: Mr. Chairman, members of the Legislature, during the school year of 1984-85 I served as students' council president at Saint Ignatius of Loyola Secondary School. I can with all honesty say that in our school, as well as in many Catholic secondary schools across Ontario, non-Catholic students regularly and routinely participate fully in the life of the school. Furthermore, may I add that there was never a concern raised or a function undertaken that in any way singled out our non-Catholic colleagues.

As a matter of fact, to this very day I can name only one or two students I am aware of who are non-Catholic. Therefore, every activity we undertake as a students' council, as well as any other student organization, is open to all students without distinction. Perhaps the following examples may be of some assistance.

Peer ministry: In the 1984-85 school year staff, in conjunction with the chaplain and religion departments, organized a peer ministry program known to the students as PALS, that is, pastoral action, love and service. Its primary goal was the development of the student and staff participants in becoming more truly formed Christians who can in turn help others in need. It was open to all students in our school community and did not require specific religious observances such as to exclude non-Catholic students. The common everyday problems of all youth were discussed.

Sacramental participation: There seems to be a preconceived notion of what the expectations in a Catholic secondary school might be of a non-Catholic student in respect to the reception of our sacraments. May I state that the practice of our faith is based on His call to discipleship, "Come follow me." Therefore, complete participation in any sacramental liturgy is entirely based on the individual's voluntary response at that particular time to that call. As a result, not every student receives the sacrament at each opportunity. There is, therefore, no way to distinguish these students.

Unified student body: At this time let me take the opportunity to state that I believe your legislative efforts should maintain the provision in Bill 30 that permits each student who attends our schools by parental or student choice, both non-Catholic and Catholic alike, to have every opportunity to participate fully in the life of the school, including religious education.

As all of you know, the major role of any students' council is to develop enthusiastic and united student morale. This task would be quite

difficult if we had a dual in-school community orientation that might result if all non-Catholic students were exempt from religion class. While I recognize that there may be exceptions, I think it is reasonable to expect of the Legislature of Ontario that the goals and mission of our school, and those to which parents and student subscribe, be facilitated.

Sacrifice: I would also like to comment on some of the sacrifices made by our students. Although they are often stated by parents, teachers and trustees, they are continually experienced by students.

Currently at Loyola, we are accommodated in two campuses: Campus 1, a 400-pupil elementary school with 17 portables housing more than 700 students; Campus 2, a leased elementary school some four miles away, housing 350 students. Both facilities are inappropriate for a high school environment.

Another example can be seen in the busing of students. Some of our students are on the bus for a minimum of one and a half hours each day. It has been calculated that upon graduation some Catholic secondary students in our region will have circumnavigated the globe four times and could very well be considered as voyagers of the world.

Why do we students make these sacrifices? It is not only for the fine atmosphere that is present but also for the quality of the program offered to meet their needs which is available at a Catholic school. I look forward to the day when all our efforts can be concentrated on the building of good student morale, a vibrant school community and thereafter, a strong, future, pluralistic society. I am excited by the good news of Bill 30.

Mr. Schrenk: Mr. Chairman, I would like to begin by advising you that I entirely endorse the program described by our chaplain and the expectations and aspirations for our students and school system outlined by Miss Finelli and Mrs. Price.

The major focus of my portion of this presentation will be staff. I look to the legislation to address the very legitimate expectation that the Catholic community in Ontario will redress in good faith the personal concerns of those teachers who might be surplus as a result of student transfers. I believe the schools will respond to such teachers, when they take up their duties, in a sensitive and sensible manner.

To that end, I am pleased with what I know has been undertaken to date in our area in respect of the very professional manner in which the staff has been welcomed in our schools. I know each

one of them has been met individually, with a view to facilitating participation in the building of our schools' community. Complete assurances have been given that such participation is based on the contribution each individual feels capable of making. I know the chaplain and administration have assisted individual teachers in the conduct of daily prayer, for example, and provision of supervision at school liturgies.

I would like, therefore, to lend my support to the proposition developed in exhibit 225 that legislation permit volunteers, rather than complete reliance on administrative transferees, as a solution for the Catholic secondary school community to discharge its responsibility to surplus teachers. I recognize in Halton such surplus teachers will, in the short term at least, be fairly minimal in number. Perhaps what we are suggesting is more applicable elsewhere. However, on the basis of first-hand knowledge, I know the volunteer approach to teacher transfers as negotiated between our local boards was pre-eminently successful this year.

In summary, I will take this opportunity to outline the general nature of the recommendations we have for your consideration as you prepare amendments to this bill.

1. That the legislation continue to recognize the historical and constitutional uniqueness of the separate schools with respect to their particular mission and ensure appropriate protection for this uniqueness.

2. That no employee, Catholic or non-Catholic, as a matter of social justice, should lose continued employment as a result of the completion decision during the specified 10 years of implementation.

3. That the legislation endorse the voluntary transfer process for surplus employees as the primary procedure for interboard employee transfers.

4. That, once hired, transferred employees, during the 10-year specified period, enjoy all rights, benefits and privileges afforded Catholic employees for as long as they remain in the employ of the separate school board.

5. That voluntary, non-Catholic students continue to be permitted to attend Catholic secondary schools, with the agreement of the appropriate separate school board and subject to the payment of the fee from the coterminous public board. If attendance is a result of program requirement or physical need, such student or parents may apply for exemption from religious studies.

6. That non-Catholic parents who voluntarily elect to send their children to Catholic secondary schools should continue to receive the full services of the school selected.

Finally, on behalf of the four representatives you see before you, the rest of the team whose names are presented in this supplement to exhibit 225, and all the members of the Catholic community of Halton, we would like to thank you for this opportunity to be influential in respect of our legitimate aspirations for you as legislators as you proceed with the enviable task of rewriting a significant portion of the social contract between Ontario and its most precious resource, our youth.

Mr. Chairman: Thank you, each and all. It is a unique presentation from a board in that there is no board member here. It is a good precedent that we should try to set up almost everywhere. I am only kidding.

How did the decision come to be made, between 225 and the new 225A we have received today, to have you present rather than board members? Could you let us know how this mix of presenters came forward?

3:30 p.m.

Mr. Schrenk: We came in as a result of a number of discussions between ourselves, obviously—perhaps the front-line people most directly involved in this question—and members of the board, trustees and members of the administration. It was decided we would represent, and probably are most representative of, the Catholic educational community in Halton.

Mr. Chairman: So the board essentially authorized you to make its presentation? You do make it in their names.

Mr. Schrenk: Yes, that is correct.

Mr. Chairman: I see. Very interesting. You have done it.

Speaking specifically to chaplaincy, the first questioner I have on my list is Mr. Davis, who will now pry into every detail he can get. Go, Mr. Davis.

Mr. Davis: You are correct, Mr. Chairman.

First of all, I would like to thank the delegation for coming and for a very articulate and concise brief. I appreciate that.

I would like to address a number of questions to you as a chaplain, Mr. Dewling, to try to get a handle on what a chaplain does. It may be, in my naïveté, that the chaplain has always been a significant part of the Catholic community. I certainly would understand that with respect to his being an ordained clergyman. But it is

interesting to note that since September there seem to be a number of chaplains appearing, so I would like to try to get a handle on who they are and what they do.

One thing I would like to know is what qualifications and training you have, or a person is required to have, to be a lay chaplain in the school system.

Mr. Dewling: I could say a number of things. To begin with, although I am a layman, I belong to a branch of the Franciscan order.

Mr. Davis: So you are a brother.

Mr. Dewling: In a manner of speaking, although I do not use that title. I am not a vowed brother. I am simply professed as part of what they call the third order of St. Francis. I am married and have two children, so I am a small-f father too, I suppose. But I do have that affiliation with a long-established religious order within the Catholic tradition.

As far as my professional background is concerned, I have been a teacher and remain a teacher, I might say. I handle a couple of grade 13 classes in addition to chaplaincy duties at the school. I have been there since 1977, when the school began, in the capacity of religion teacher for that eight-year period. As to my academic background, I have a master's degree in education that has in it a fair number of counselling and counselling psychology credits. I also have a master of arts in religious studies, theology.

Mr. Davis: In the normal course of events, would you say the majority of lay chaplains to the school system are teachers or have teaching backgrounds and the majority of them do some teaching?

Mr. Dewling: In my limited experience—this is the end of my first month as lay chaplain and I have met with other chaplains in the area on only one occasion at this point—I would say there is a mix. I would hesitate to give any statistics at this point.

Mr. Davis: I am going to ask you an embarrassing question. You do not have to answer if you do not want to.

Mr. Dewling: Go ahead. Let me be embarrassed.

Mr. Davis: On the salary grid are you paid as a teacher?

Mr. Dewling: Yes.

Mr. Davis: Not as a chaplain.

Mr. Dewling: I am considered a chaplain but paid according to the grid where I would fall if I were still a full-time teacher in the system.

Mr. Davis: That is interesting. You say in your responses that you assist in the sacramental life.

Mr. Dewling: Yes.

Mr. Davis: Can you tell me how you do that?

Mr. Dewling: Primarily I arrange for and co-ordinate the presence of ordained clergy in the school when we have something on that requires their presence, such as the sacrament of reconciliation and, most certainly, mass. Other than that I can get myself involved in paraliturgical prayer services, communion services and all that sort of thing, which do not require the presence of an ordained clergyperson.

Mr. Jackson: Mr. Dewling is being far too modest. He is a very accomplished musician and he helps in all the folk masses.

Mr. Dewling: Thank you.

Mr. Jackson: He is quite broadly based in terms of his—

Mr. Chairman: This is paraliturgical?

Mr. Jackson: Yes. He has no difficulty with the high notes.

Mr. Davis: I assume you have guidance teachers in your school.

Mr. Dewling: Yes, we do.

Mr. Davis: Do they also provide personal and spiritual counselling?

Mr. Dewling: Personal, I would say, not spiritual.

Mr. Davis: But you provide spiritual.

Mr. Dewling: Yes, that is one of my mandates.

Mr. Davis: If a student went to a guidance counsellor with a personal problem dealing primarily with moral values of a spiritual nature, would I be correct in assuming that the guidance counsellor could deal with that person on a spiritual level, given that the person is raised within the Catholic tradition and has a certain amount of understanding of spiritual life and spiritual matters, or would the counsellor have to refer the student to you?

Mr. Dewling: He would not have to refer the student to me in terms of an imperative.

Mr. Davis: So he would deal with it?

Mr. Dewling: It would depend on the circumstances. He might ask me for a little advice if it was something he was not clear on. I would have a more specialized background than he has on certain issues. That is possible. I work very closely with the guidance department and with the school social worker and nurse. We have

a team to handle different issues that might come up in our monthly meeting, for instance.

Mr. Davis: On page 3 of your brief you state, "The chaplain organizes, encourages and implements a number of activities such as personal counselling and peer ministry programs involving students in projects that assist the poor, locally and abroad, co-ordinating and planning the religious celebrations undertaken in our school." Would I be correct in assuming that an ordinary teacher could do that?

Mr. Dewling: Yes, I have done that as an ordinary teacher. It helps, however, to be in a position where I have more time and access to resources to do it better.

Mr. Davis: One of the difficulties I am having correlating the emphasis placed on the lay chaplain is that the various members of the Catholic community who have been before us have insisted that the *raison d'être* of the Catholic community, the ambience, the catholicity, resides within the principal of the school. He is the person who sets the tone in its spiritual, religious and academic nature. For that reason, a large segment of the Catholic community has great difficulty in saying that a non-Catholic could assume that position within the school.

Mr. Dewling: The principal's position?

Mr. Davis: Yes. I am having difficulty putting that together with your remarks about your responsibility in the local community, because, from your brief, responsibility for the spiritual nature of the school falls more in your jurisdiction than in the principal's, even though you consult.

Mr. Dewling: Yes, consulting is important. The buck stops at the principal. Previous members of the Catholic community who have been here are right in that regard. I can also speak for our own Halton community in the same way.

In our brief I mentioned being a resource person to the whole school community and certainly to the principal, just as he needs resource people in other subjects being taught. That is why we have chairmen who handle those responsibilities; he cannot be on top of everything. I assist him in the ways I have outlined in the brief as far as the spiritual life of the school is concerned. I am his resource person there as well, but it is true that he has the ultimate responsibility.

Mr. O'Connor: I want to add my welcome and my congratulations to you on this concise, well-researched and well-presented brief. By way of some assistance to the chairman, although

there are no members of the board before us, I can see several members of our board in the audience, including the chairman of the Halton Roman Catholic Separate School Board, Reverend Jim Mihm, who is a large-F father as opposed to a small-f father.

By way of reply to Mr. Schrenk, and I am sure everyone here knows this, although students of Halton in the past have had to endure some sacrifices with regard to the school setup, you have recently turned the sod on a brand new high school which will be ready in approximately a year. It will house all the students who were formerly in portables on two campuses. That should reduce your difficulties considerably. I hope that is completed as soon as possible.

3:40 p.m.

My questions are in the area of the sharing of facilities. I do not know who among you can answer that. To what extent does the Halton separate board share facilities in the nature of exchange of classes or equipment or transportation facilities? I understand some of that goes on with the public school board in the Halton area. How successfully have you been able to co-ordinate with your fellow board in assisting the students in our area? Can anybody take that on?

Mr. Schrenk: I do not know that anyone here could answer that question well. Perhaps we might, if Mr. Chairman will allow it, better direct that question to Mr. Byrnes or Mr. Nolan.

Mr. Chairman: I do not think we should let the chairman of the board hide back there.

Mr. O'Connor: Mr. Byrnes is the director of education. Perhaps he can help us.

Mr. Chairman: Come forward to the end here. There is a chair. You will have to speak fairly directly into the microphone to be picked up.

Mr. Byrnes: There is some co-operation, although it is not major, in transportation. It is mostly on an informal basis. If we had a need where a bus may be serving a rural area, rather than establish a route, we will work it out co-operatively with the board of education.

We co-operate quite extensively in the area of special education, Bill 82. There are some joint efforts in terms of developmentally handicapped children, for instance.

In areas of accommodation, we are currently leasing one elementary school from the board of education and we have leased schools before. We have found the board of education very co-operative on this basis. Beyond that, co-operation has not been developed as fully as it

could be. I anticipate, Mr. O'Connor, when this settles down there will be some co-operative efforts, more extensive than we have now, although there are some.

Mr. O'Connor: Do you see any difficulty if there is a requirement in the bill that boards share in certain areas or be required to co-operate in certain areas, particularly those you have just mentioned, and perhaps—

Mr. Byrnes: In terms of accommodation?

Mr. O'Connor: In terms of accommodation and perhaps in terms of courses using specialized equipment, which would be expensive to duplicate in both systems—shop equipment and that sort of thing.

Mr. Byrnes: Yes, I see that happening.

Mr. O'Connor: Do you see any difficulty if it is a requirement?

Mr. Byrnes: I personally do not have that difficulty. I can see co-operation and sharing of other program offerings as well, such as technical education. You made reference to a new school. Once that school is completed with, we hope, a technical facility, we could be the ones who would offer the technical education program to the board of education, since we are the first in that area.

Our board would be quite willing to look at other program offerings, and if one board provides it to the other board, so be it. We are quite open to that. Most of us in the Catholic community would take that as a fait accompli. It is a necessary need that we are going to have to look at.

In terms of accommodation, there are certain problems we have to look at. Our schools are not semestered, whereas the majority of the board of education's are, so we have to look at that organization. Our students are in uniforms and the board of education's are not, so we have some difficulties to overcome there. I do not think they are insurmountable problems, but across Ontario that kind of co-operative effort has to be realized by both sides of the community, Catholic and non-Catholic.

Mr. Allen: I thank the deputants for their brief. While the chairman of the board is there, since we have not had—

Mr. Byrnes: I am not the chairman. I am the director.

Mr. Allen: I am sorry, the director of the program the board offers. I wonder if you could give us a few of the details of the plan your board submitted to the Commission for Planning and Implementing Change in the Governance and

Administration of Secondary Education in Ontario. I do not think we have had a review of that with your board officials or anybody up to date.

Mr. Byrnes: In response, if you look at the recommendations in the supplement, our exhibit 225 pretty well states the recommendations that are contained in the supplement that was tabled this afternoon. Employment, accommodation, our concern for universal access, the viability of non-Catholic parents or students opting in rather than opting out of religious studies are all contained within our exhibit.

Mr. Chairman: Your exhibit 225 does not deal with the plan your board made to the planning and implementation commission on how you were going to phase in the next couple of years and that kind of thing.

Mr. Byrnes: What we submitted to the commission was that Halton would have basically what we anticipated, a secondary school system that would involve five schools eventually. We are relatively young. As the chaplain mentioned, we initiated our secondary school programming in 1977, our first Catholic high school in Burlington. Our plan then was to follow through in the town of Oakville, which we have. That is the school to which Mr. O'Connor made reference, St. Ignatius of Loyola. That is currently under construction as phase 1. It is a two-phase project.

Phase 2 is at the mercy of this committee and of the legislation when it comes through, because it deals with the senior secondary school program offerings. In our next step we are looking into the town of Milton to serve Halton north, which would be Halton Hills, as well as Milton. Then we would have to come back to Burlington where we are now ready for a second Catholic high school and eventually a second Catholic high school in Oakville.

We anticipate all our high schools to have an enrolment of 1,000 to 1,100 students, grades 9 to 13. Currently the Assumption high school in Burlington is approaching 1,500 and the one in Oakville at the moment is a grade 9 to grade 12 structure that has approximately 1,100 students, grade 12 being the private sector that ties in with it.

Mr. Allen: How many elementary schools do you currently have?

Mr. Byrnes: We have 28, including three French-language schools.

Mr. Allen: What is your percentage of takeup as closely as you can tell?

Mr. Byrnes: By our elementary schools?

Mr. Allen: By your elementary schools from your population at large.

Mr. Byrnes: When we started our secondary school program in 1977, the holdover from grade 8 graduates was 30 per cent. I believe we are now at 78 or 79 per cent. We anticipate that will probably level off at 85 per cent.

Mr. Allen: So in 1977 you had a 30 per cent carryover from grade 8 to grade 9?

Mr. Byrnes: That is correct.

Mr. Allen: With only the one high school?

Mr. Byrnes: You have to understand that we regard the first school in Burlington as a regional school. We were feeding students in there from Oakville and Milton, so our intake was basically Burlington-oriented. However, our holdover now across the region is just under 80 per cent.

Mr. Allen: How many students are there in the 28 elementary schools?

Mr. Byrnes: There are 10,000.

Mr. Allen: What proportion of the Catholic population of school children of elementary age attend your elementary schools at this time?

Mr. Byrnes: I would estimate about 70 per cent.

Mr. Allen: So in 1977 you had 30 per cent of the 70 per cent coming through from grade 8 to grade 9?

Mr. Byrnes: Yes, into the secondary panel.

Mr. Allen: One could get into a series of projections for the other schools. I gather you are reasonably optimistic about your capacity, as the other schools come on stream, to take up and also to see some additional feed into your elementary panel from Halton?

Mr. Byrnes: Yes. Halton is not a major growth area like other areas of the province, but we are not declining at the elementary end. Our increase this year of the elementary panel is about two per cent. Our overall increase, including grades 9, 10 and 11, gave us a system increase of about seven and one half per cent.

Mr. Allen: That gives me my statistical base.

Mr. Chairman: Thank you, Mr. Allen. That will give you your statistical fix.

Mr. Allen: I have an additional question for Mr. Dewling. You referred to a potential role for the chaplain in relation to incoming non-Catholic teachers. I wonder if you could share with us any thoughts you might have on potential spiritual problems that incoming non-Catholic teachers might experience in the Catholic school and what

the nature of your own response might be to those.

3:50 p.m.

Mr. Dewling: In my school, we have two transferees from the public system. It is very early in the school year. There has not been any mention of anything to date, but we have only been at this for four weeks or so. I do not anticipate any problems, but that is not to say there will not be any.

In that regard, my primary function as a chaplain, as I indicated in the brief, is to try to make them feel as comfortable as possible with what may be a new experience for them in terms of a religious function or in terms of a day set aside for the teachers within the school system as a faith day or a day to have the teachers reflect on their religious commitment.

We have one coming up on Friday. I have a meeting on Wednesday afternoon with the two people in our school from the public system to discuss that very fact: Do they have any questions? Is there anything I can do for them? How can I make them feel more comfortable? It will be that sort of thing. Does that answer your question?

Mr. Allen: In part. Would you have any difficulty or problem in drawing their own pastor or minister into any discussion of problems they might have in participating?

Mr. Dewling: No. I would welcome that.

Mr. Allen: I gather you and other chaplains would normally be involved in any orientation program set up for incoming teachers.

Mr. Dewling: I think so, yes.

Mr. Chairman: Since we have had one half the local area participate, would you like to carry on, Mr. Jackson?

Mr. Jackson: I welcome the representatives. It is nice to see our Halton friends here today. I have a question for the director and it has to do with the—

Mr. Chairman: This is just to give you exercise.

Mr. Jackson: The question has to do with the brief we received from the coterminous board. There was some question about process and wide consultation among all the participating employee groups in the Halton Board of Education. Can you tell us how you organized to consult for a response during the first presentation at the planning and implementation commission in dialogue with the public board?

Mr. Byrnes: That was the plan we submitted—the consultation, I must admit, was not that unique and not that close. In all fairness to both sides, I do not think we were sure how to approach this. We prepared our plan and contacts were made with the director of education and the superintendent who is in charge of that process. We met privately on several occasions with both of them, and we developed a plan and we tailored it. Our plan was late in coming.

Like many boards, we tended to be overproductive in what we were developing and we put too much into it. That took time to research and collate, which was part of the problem. I met with the director recently and we now hope to work this so it is a much smoother process and we can develop it, if not together, almost coincidentally. The first time around was not as good as we had hoped it would be.

Mr. Jackson: Is it safe to say that the numbers anticipated a year ago at this time and the numbers at the end of September are dramatically different?

Mr. Byrnes: In my opinion, yes. We had anticipated a transfer or crossover of students of 116 to 120. Subject to confirmation, the initial statistics show that about 39 actually transferred. Of the 39, I believe 19 or 20 were Roman Catholics who were in grade nine or 10 and moved over into grade 10 or 11, or they were Catholic students in the elementary schools who had finished off their elementary years and elected, for whatever reason, to come to the Catholic secondary school. We had anticipated 116 to 120 and 39 was the reality.

Mr. Jackson: The tally in terms of staff—

Mr. Byrnes: We had estimated we might require six to eight staff members and we have hired six full-time equivalents; actually there are eight bodies, but some are part-time people. We needed staff, regardless. We also agreed to hire, as a matter of good faith, some of the surplus teachers at the elementary level who were qualified for secondary program teaching. We hired them and we will work out this year whether they will get credit for it, if you like, but we did co-operate on that basis. I must say, Mr. Jackson, that the co-operation among staff is very good.

Mr. Chairman: It is not the same system as here, where you need eight members to get six real, live ones. This works differently from that.

Mr. Jackson: I will not pursue it much longer. I will say, though, Mr. Chairman, that when this committee was in London and the issue of the

chaplaincy program first arose, I called the director and we attended the separate school. I had occasion to spend about four hours in the school. I spent a good length of time with Mr. Dewling and I found it very informative. I am delighted that he formed part of the presentation today. I know Mr. Davis will sleep better tonight on the basis of your answers.

Mr. Dewling: I hope so.

Mr. Chairman: We all notice it has had a profound effect on your behaviour sense as well, Mr. Jackson, so we thank him.

There have not been many questions for the parents and students. Be assured that if we had all the board members here, they would have wanted to ask questions only of parents and students. I just want to make you feel that we did appreciate the time you spent with us. Thank you very much for coming back. I notice the chairman still continuing to hide back there, but that is the sort of thing one expects from elected people.

Our next presenter is the Hamilton Catholic High Schools Presidents' Council. Welcome. Please introduce yourselves and then continue with your brief to us.

HAMILTON CATHOLIC HIGH SCHOOLS PRESIDENTS' COUNCIL

Miss Brennan: Good afternoon, Mr. Chairman and members of the standing committee on social development. Please allow me to introduce members of my group. This is Joe Cunko, who is president of St. Jean de Brebeuf Separate School, Hamilton. Darrin Laidlaw, on the end, is president of St. Mary's Separate School and Norman MacNeil, in the middle, is president of Bishop Ryan Separate School. I am Monica Brennan, president of Cardinal Newman Comprehensive Separate School.

We are here as members of the Hamilton Catholic High School Presidents' Council. Our purpose in appearing before this committee today is twofold. First, we are here as representatives of the students enrolled in Catholic high schools in Hamilton to present to you our support for Bill 30. Second, and equally important, we are here to explain our reasons and justifications for this support. We come as elected representatives to speak to elected representatives.

Hamilton has a long history of successful Catholic education, with a system encompassing 60 schools and a population of more than 25,000 students. We represent the outer edge of a thriving tradition in education both in our city and in our province. Unfortunately, as senior

students in grades 12 and 13, we will not experience the direct benefits of this bill, since we have already had to pay fees. Nevertheless, the future of our schools is important to us.

Catholics in Ontario have long been denied basic financial security for a complete education system. They have been supporting two systems, from one of which they received no direct benefit. Because we have deemed it necessary to our survival in this modern and complex world, we have been forced to endure the financial trauma of paying for much of our own education.

As students, we have met this burden head on. Many of us have been forced to make sacrifices through part-time work, for example, in order to help our parents shoulder what has become an increasingly heavy load. In an era where people speak in terms of millions of dollars, \$700 to \$1,000 per student may not appear to be much, but it is a great deal.

4 p.m.

First, it is a social cost. We must redirect our resources, which are so crucial, especially for those of us facing a university or college education in the near future. Second, it is a matter of equality and principle when we are so unfairly forced to bear a cost that our peers in the other public system are not forced to bear.

Our second major concern stems from our heart and our place in history. Burdens can be borne and have been in the past, but now we, as young adults, believe that under the law we are entitled to our share. Being burdened is even more difficult when you feel you have been denied the promises and guarantees given to your forbears.

Canada's history is full of examples for which it has achieved worldwide recognition as a leader in the cause of justice. As a country, we have long attempted to rectify injustices at home and elsewhere. Surely Ontario shares these principles.

In Ontario specifically, we have continued to ignore an inequality and an injustice that affects the largest minority in this province. In the light of the guarantees and promises given us as a cornerstone to Confederation itself, Ontario, in the past, has failed on a point of justice. This is an historical wrong which this bill and the tripartite agreement will correct. For this we applaud the present Liberal, New Democratic and Conservative parties' initiative.

The third point is that modern conditions make the viability of the two systems now in operation economically sound. The number of Catholics enrolled in Catholic education cannot be ignored.

This is not a question of the separation of church and state at all. It is simply recognition by the state, the collective will of the people, of the desire of itself to direct its resources to projects which are worthy of support.

It is folly to say that public money should not be spent on Catholic schools, because Catholics are very much part of the public. The numbers and economics both warrant expenditure. Indeed, such expenditures are demanded by common sense and justice.

Our fourth and final point here today is to put to rest the fears of some critics. We are not economists, we are students. However, we do appreciate that some public boards in smaller areas may experience difficulties. The other public system is, nevertheless, in no jeopardy. If there is to be any initial hardship at all, it cannot compare to those problems had by Catholics in the last 100-odd years as they have had to subsidize two systems.

We do not believe that our past, present and future separation has or will cause any social unrest. Our schools already exist in great numbers. If any unrest exists, it appears to us to be posed by those who harbour old fears.

We have a life outside of school, church and home. We interact in our society and will continue to do so. We are friends and co-workers, regardless of our education. Our graduates are doctors, lawyers, steelworkers and politicians. We find it difficult to accept the assumption that full funding will divide this province.

Our desire for a Catholic education stems not from any intent to separate ourselves from the rest of society, but rather from a desire to be taught what we believe to be the basis for survival in today's complex society in a school system which supports that belief. Our Catholic education will not detract from our friendships, but it indeed expands our tolerance. We will, we believe, be more fully developed.

The funding recently approved through an order in council has already had positive effects. The incoming grade 11 students have not had to buy their own books nor pay school fees, taking a great burden off parents and students. In addition, our school board has rented space from the Hamilton Board of Education to help the overcrowding at St. Jean de Brebeuf. We have also been allowed to purchase more portables; not the best situation but certainly a help. For this we are very grateful.

There is much more that we could say, but many points have already been covered by other

groups. We hope we have been helpful and we welcome any questions you might have. Respectfully submitted by the Hamilton Catholic High School Presidents' Council. Thank you for your support, your time and your attention.

Mr. Chairman: Thank you, Monica, for making that presentation on behalf of the presidents. Many of us got our start in politics as student politicians. It is a slippery slope; watch it. Get out while you can. That is my suggestion to you.

I know Mr. Allen has some questions for you.

Mr. Allen: They started very politically when they told us they were speaking as elected to elected, so we are meeting our equals, obviously.

Mr. Chairman: I would not give us that much credit.

Mr. Allen: Perhaps since Monica has done the presenting to date, I wonder if the other members present from the student councils of Hamilton's Roman Catholic high schools would care to make a remark or two about the conditions and problems they have had to cope with in their own schools in recent years, because of expansion and not having the extent of resources they would like. Could you give us some sense of what has been going on in your schools?

Mr. Cunko: In my high school, St. Jean de Brebeuf—I have been there since grade 9—the population has slowly increased. Last year, especially, was our most populated year.

Since our school was built for only 600 to 700 students and we have more than 1,000, it is tricky to get through the hallways, especially after an assembly or mass. The hallway entrances and exits are very crowded and very tight. Sometimes there is a huge crowd swaying back and forth and someone could easily be hurt. It really is very packed.

During class changes, also, it is very tight in the hallways. We now have two campuses. Since we are sharing South Vanier school, a French school, we each have a locker, the hallways are much bigger and the class sizes are down. We have more freedom because it is not that crowded.

Mr. Allen: Your school is now on two campuses. Which grades go to Vanier?

Mr. Cunko: Some grade 11 students are bused back and forth, but grades 12 and 13 stay at Vanier campus. Grades 9 and 10 are at the original school.

Mr. Allen: Thank you. Norm?

Mr. MacNeil: My parents are not the richest people and my brother and I work part-time to

help pay. Since my brother was given books this year, that burden was less for him. My brother and I, our family and other families benefited very much from that.

Mr. Allen: Which school is yours?

Mr. MacNeil: Bishop Ryan high school.

Mr. Allen: Has Bishop Ryan been experiencing some unusual difficulties in recent years, problems with resources, space, what have you?

Mr. MacNeil: We have not really been experiencing too many problems. We have been overcrowded, but lately it has tapered off. There has not been that much of a problem.

Mr. Allen: Since you referred to the question of costs—and I am glad to hear that incoming grade 11 students and their families have already begun to feel a bit of relief as your brief says—could you comment on whether, to your knowledge, families who have had to pay for tuition during the secondary school years have found it difficult to send their children on to post-secondary education? Has that caused real financial difficulties in any families that you know or, or in your own family?

Mr. MacNeil: A friend transferred over to another school because he could not accept the burden of paying the fees for that year because his father was unemployed. Now his father is working again and he is back at the school.

Mr. Allen: How about your school?

Mr. Laidlaw: St. Mary's is located on the campus at McMaster University. This is the first year we have had portables and it came as a real shock. As Monica read in the brief, to a school like Cardinal Newman, which is larger than ours, that is an extra bonus. They are going to be a little more comfortable now because they are not going to have as many people. For St. Mary's it was: "Oh, wow, what are these things? Are they going to start taking over?"

The new school was great. We had the teachers' college and it is a nicely set up school because it took us all in. But now, as Joe said, the grade 9 students are coming in. We are now at 811 students, which has been the most for St. Mary's in quite a while.

The portables were coming in and we found it a bit of problem. It was good because it spaced us out a little more, but it would be nice if we could develop instead of putting a little house there. Do you know what I mean? It would be nice to expand it instead of putting in some extra portables. I would like to see something like that happen.

4:10 p.m.

Mr. Allen: You refer in the brief to your desire not to be separate and that the pattern of your own associations certainly reflects that. Perhaps you could give us a sense as to your other involvements with kids in your neighbourhoods and other activities in the community which go outside your school associations.

We have been hearing the argument that if we do this, it is going to hive all you guys off and you are going to live little separate lives away from everybody else; that society will be badly divided as a result. However, as I have been telling the committee, in your case in Hamilton you have a pretty complete system already and you can see whether it is going to have that kind of effect or not.

Tell us about it personally in your lives.

Miss Brennan: As a presidents' council we also meet with the overall Hamilton-Wentworth presidents' council; that is, presidents of both Catholic and public schools together. We interact as schools.

Outside of the community I interact. I volunteer at a hospital and work with kids in the other system; swimming and all those sorts of things; extracurricular activities outside of my school. I participate with people. We are not cut off from others. Kids on our street do not go to Catholic schools but they are still my friends. It is not a separation barrier. We just go to separate schools in the morning and come back at night. We can still go out together. It is kind of basic.

Mr. Cunko: In our sports program at St. Jean de Brebeuf, we have exhibition games before the season, at public schools or even other Catholic schools, but usually public ones. Today we are having a volleyball exhibition game against a school from Burlington. They are playing right now. I guess it is normal. We are not completely far apart. I have a friend who goes to Saltfleet High School in Stoney Creek. I have a number of friends in Winona High School and Orchard Park Secondary School. The only thing that separates us is that I go to work and maybe they go out to a dance or something. I work on Fridays and Saturdays while they go out and have a good time.

Mr. Allen: In other words, relieving your family of the cost of paying fees and your having to work quite so much, perhaps to put yourself through school, would free you to have more associations outside of school with non-Catholics. Is that right?

I do not know if any of the others would care to respond to the question or not.

Mr. Laidlaw: I am involved with people from the public schools. I am situated in the north end, which is mostly served by Sir John A. Macdonald Secondary School. Those are the public school pupils with whom I associate.

Actually, we talk about our schools. We do not say, "Discipline at this school, discipline at that school." We get into conversation about things such as, "What book do you use for accounting?" There is not detailed talk about it; it is stuff you touch upon. "Did you have a dance this week? Who was your disc jockey? Maybe I will tell my student council." You get ideas. That is what we gain from the city-wide presidents' council meetings with the public boards, just ideas.

We are not afraid. If they have a great idea for us, there is no reason we cannot use it, or if we have something for them. Let us keep it that way.

Mr. MacNeil: My situation is very much like Mr. Cunko's. Outside school, it is kind of funny, we do not usually talk about school, but we interact with each other. For myself, I play on soccer teams. School names just come up. There is no difference. It is just a school name when we are out there because we are all on the same team afterwards, such as when we play soccer. There is no difference between us. We are on the same team and we are together. My friends and I do not usually talk about school that much, just about dances and so on.

Mr. Chairman: At least some things have not changed.

Mr. MacNeil: We talk about dances and so on, but that is the closest we get to the subject of school.

Mr. Allen: I would like to note that this is the first occasion on which we have had a director of a board of education send his daughter ahead to test the water first. The director is in the audience seeing how things go. He will be appearing later in the week.

Mr. Chairman: Let us be tougher on him than we were on Monica. Anyway, now that you have been found out, it is a terrible thing to do.

Are there other questions from members?

Mr. McKessock: How many grade 11 students have come into your school this year because of extended funding?

Mr. Laidlaw: I cannot tell you the exact figure. We did get a new list of students coming but I cannot give you a firm figure because I do not want to lead you in any direction that might get me in trouble.

Mr. Chairman: We had some figures from the board last week. It seemed there was actually a drop in one or two areas.

Mr. Laidlaw: There was not a drop. It did not decrease. It might have levelled out, but if there was a decrease, it was not substantial.

Mr. Allen: Not very much.

Mr. Chairman: The figures 14 and eight ring bells with me. As I recall, it was a very small change. One of the things Mr. Allen has been saying to us for some time is that this is a mature Catholic system that has been operating for a long time with a large percentage takeup of its potential population. Therefore, it is unlike a lot of other areas where there have not been grade 11s, 12s and 13s as much as there are in Hamilton already.

Any other questions? Seeing none, I would like to thank you for coming and gracing us with your presence today. I hope we performed well enough for you. We appreciate the flattery of

considering that you are coming as an equal and not as our superior. That was very nice of you.

The committee is finished for the day. Tomorrow, because of the great kindness and generosity of your chairman, I have moved your one evening group down to 5 p.m. so that we can be finished by late afternoon some time, rather than coming back after supper.

Mr. Davis: Thank you, oh gracious one.

Mr. Chairman: Your cheques will be in the mail, I presume, as a result of this. We will have the Dufferin-Peel Roman Catholic Separate School Board tomorrow at five o'clock rather than at eight o'clock. The meeting is adjourned until tomorrow at 10 a.m.

The committee adjourned at 4:18 p.m.

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No. S-57

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development

Education Amendment Act

First Session, 33rd Parliament

Tuesday, October 1, 1985

Morning Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Chairman: Johnston, R. F. (Scarborough West NDP)

Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)

Allen, R. (Hamilton West NDP)

Davis, W. C. (Scarborough Centre PC)

Epp, H. A. (Waterloo North L)

Guindon, L. B. (Cornwall PC)

Jackson, C. (Burlington South PC)

Offer, S. (Mississauga North L)

Reycraft, D. R. (Middlesex L)

Smith, D. W. (Lambton L)

Timbrell, D. R. (Don Mills PC)

Substitution: Ward, C. C. (Wentworth North L) for Mr. Smith

Clerk: Mellor, L.

Staff: Nigro, A., Research Officer, Legislative Research Service

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 1, 1985

The committee met at 10 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I see a quorum. I am having a little trouble getting people here in the last week of hearings before our break.

Our first delegation this morning is the Canterbury Arts High School Parents Advisory Committee. This is item 756, which has been distributed to the members. Will you come forward, Mr. Doern? I apologize for holding you up. It is nice of you to come from Ottawa. The way we operate is to have you proceed through your brief any way you like and then open it up for questions.

CANTERBURY ARTS HIGH SCHOOL PARENTS ADVISORY COMMITTEE

Mr. Doern: Thank you very much. I will be extremely brief. My name is Bruce Doern. I am a professor of public policy at the school of public administration at Carleton University. I am here on behalf of the Canterbury Arts High School Parents Advisory Committee which is, as its name implies, a committee of parents advising the school of the arts and Canterbury High School as a whole.

We appreciate the opportunity to express our views to you. We are going to raise only one major concern, to draw your attention to the impact of the legislation on specialized regional or city-wide programs such as the arts program. It is a one-issue presentation.

I have not followed all your debates closely enough to know to what extent this has been raised. I have heard it come up in the context of adult education programs so there are some broader issues, but we will raise it in the context of the arts program. It is a very short brief and I will read the presentation.

The arts program at Canterbury is in its third year of operation. When it has a full range of students from all grades, it will have about 500 students. This is a school of about 750 to 800 students in total and it has to meld a normal arts curriculum with a full academic program. The key feature about the school in terms of the issue

of principle is that about 40 per cent of these students are from the Carleton Board of Education, so it is a joint program in that sense already. In fact, it also draws on other boards from the broader eastern Ontario area.

We want to raise the issue of whether the extension of separate funding creates the possibility, which we think it will, of pressure within the new separate boards to establish their own programs. This could also conceivably happen, although it may not be likely, if Canterbury itself, as a school that has excellent arts and drama facilities, happened to be one of the schools that was transferred over to the separate board.

Our concerns about the legislation are that it is virtually silent about requiring public and separate boards to co-operate in the provision and operation of those programs where economies of scale and other factors dictate that only one program can reasonably function in any given region. It is our view that the public interest would not be well served by the creation of competing programs, neither of which could then function properly or deliver a high-quality program.

We think this view is entirely in the spirit of the Ministry of Education's 1980 report, *Issues and Directions*, which was published as a response to the Commission on Declining School Enrolment in Ontario. There are parts of that report which suggest various forms of co-operation.

The silence of the legislation on this point seems to be premised on a generous expectation of continuous co-operation, not only in the difficult first few years of the transition to extended funding, but also in the long run. While no doubt some co-operation will occur and costs will act as a partial constraint against duplication, we think the legislation should be more realistic in dealing with the often-demonstrated human, and I would say political, tendency to build empires and expand jurisdictions.

Accordingly, we believe the legislation is deficient in three ways and we urge you to recommend amendments that would explicitly meet the following three points:

1. Where a regional specialized program exists, the burden of proof should be placed on the boards proposing new duplicate programs to

show why the existing program cannot accommodate the public and separate boards' needs.

2. The legislation ought to require a specific public hearing process to air such proposals and explore feasible alternatives for co-operation.

3. The legislation ought explicitly to allow and enable two or more boards to manage special regional programs jointly where they so agree.

I would add parenthetically that we have left the notion of what "management" means somewhat vague, but we envisage the possibility of rotating principals, seconding staff for four or five years, so there is a sense of something other than just hierarchical management and an infusion of the needs of the co-operating boards.

We believe all of the above proposals, which we think should be explicit in the legislation, are in keeping with the overall principles enunciated by the government to govern the legislation it is proposing. They are conducive to quality education and to the interests of all students under provincial jurisdiction and would ensure an orderly and cost-effective transition. They invite realistic co-operation.

10:10 a.m.

The third provision suggested above expands the specific ways in which co-operation could be secured, but we think it does so without assuming a heroic level of human perfection that is unwarranted by the political history of large bureaucracies with appetites for expansion. On that point, we hasten to add that such habits reside in both sets of boards or in all sets of boards, and it might be useful for the separate board as well to have such provision where it has specialized programs in fields where the public board does not.

Specialized regional programs have an extremely valid place in our educational system. As a parent of a student involved in this type of program, I can testify to the degree to which that program has turned on my child and her friends, both in the sense of the arts themselves and in reinforcing the academic program. However, it is a very delicate program, to be built up over time, and it requires an immense amount of co-operation. There already are two boards. I think it has some general principles that cut across different cities in different combinations.

We hope you will adopt measures such as those suggested above so that the legislation ceases to treat this dilemma with silence and addresses it explicitly.

Mr. Chairman: Thank you for approaching this from that point of view. We have been looking at various kinds of enabling co-operative

measures, if I can put it that way, and it is good to have it in specifics. The school has been going for three years. Which years does it cover? Is it the full high school years?

Mr. Doern: It will encompass grade 12 by next year. They had an initial intake at grade 9 and another—by next year, 1986-87, they will have a full complement of students.

Mr. Chairman: There are 500 students in grades 9, 10 and 11 at this point, that is, up to grade 11.

Mr. Doern: Yes. It will be more when they have a full complement, but it is hard to tell exactly what the numbers will be. It could be anywhere between 500 and 600 depending on the actual intake and the number of applicants.

Mr. Chairman: You mentioned that other boards in the area were participating in some fashion besides the Carleton Board of Education. Which ones and how?

Mr. Doern: They are drawing from as far away as Kingston and Smiths Falls. It is quite a radius. A small number of students come from as far away as Toronto or other boards. The bulk are from the Ottawa Board of Education. The next largest block is from the Carleton board. Currently, another 50 or so students come from the immediate area. That is with only two or three years of publicity, publication and word of mouth. It was definitely begun as a regional facility and will increasingly be so.

Mr. Chairman: Do the other boards purchase service on a student-by-student basis?

Mr. Doern: That is right.

Mr. Chairman: Do the separate boards have any students in the school?

Mr. Doern: Not to my knowledge, but since there is no high school system, there are undoubtedly others who might otherwise be separate school attendees.

Mr. Chairman: Those who might have been separate school supporters at an early time but are now diverting their dollars to the public system.

Mr. Doern: Another feature in the Ottawa area that is of some importance is that under the French-language system, there is one school that has an emphasis on the arts but literally cannot afford to operate a second full-blown one. In the larger issue of whether the Ottawa or other areas ought to have one, two, three or six boards, an issue like this can easily crop up. It is not just the separate board. We are conscious that the cost of creating these programs will act as a hindrance to people having too many ambitions to duplicate.

Over the long haul, the burden of proof ought to rest on those who want to create a second program.

Mr. Chairman: You mentioned that the primary involvement at the moment is at the Carleton and Ottawa boards. For joint management procedures we might look at, you suggested such things as rotating principalships, secondment and that kind of thing. Who has the prime responsibility for Canterbury High School?

Mr. Doern: It is strictly an Ottawa board operation at the moment. There are not even any informal opportunities for the Carleton board to comment on curriculum or any such thing.

Mr. Offer: With respect to the school's enrolment, do you have any projections for the future? I know you are not yet providing all the grades.

Mr. Doern: The board is talking about 500 or 600 students in the arts program, with the total school population being about 1,000. Some of this depends on what else happens in the issue of declining enrolment in Ottawa. If there are only three schools in that region of the city, the total enrolment of the school may go up, but under the current assumptions, there would 800 to 1,000 students, approximately 500 or 600 of whom would be in the arts program.

Mr. Offer: Are you drawing from other boards at this time?

Mr. Doern: That is right.

Mr. Offer: How are they getting to school now? Is there some joint agreement about busing?

Mr. Doern: There is for students in some regions where there is a sufficient cluster, such as the Kanata area of Ottawa where there is a busing arrangement. In other areas, students get there entirely on their own. Some come to the program from great distances every day.

Mr. Offer: Is it possible that in the future this program might draw from farther regions, necessitating an extremely efficient busing arrangement?

Mr. Doern: That is possible. One of the principles they have adopted is to admit approximately 20 students per year in each of the main areas—vocal, instrumental, drama and so on. The applicants are competitive. There may be a wider range of applicants coming in as the reputation of the school is enhanced, but I cannot imagine, in the current circumstances, the school suddenly doubling to 1,300 arts students.

That sets some kind of upper limit to the number being admitted from the eastern Ontario area. As it becomes more competitive, which it already is, there would probably be a preference by the two boards to draw from the two that are contributing most to financing the school.

Mr. Offer: Are you aware of any discussions or interplay between the public and separate boards with respect to your program at this time?

Mr. Doern: No. We are intending to raise it as it gets close to that stage. This is the first discussion we have had among ourselves, to make this presentation to you. We will raise this. It is in a sense a local issue as well. We have to address it there and we intend to.

Mr. Reycraft: I am curious about how you control the enrolment in the way you just described.

Mr. Doern: I have to be careful because I am not fully aware of the detailed history of the program. The numbers have been so far approximately 20 per area—that is, instrumental, etc. There is a total of 100 to 120 per year coming in. That is based initially on facility size and how many they can accommodate.

In some of the programs, it is literally the limits of the dance studio or the number of individual music tutorials that can be given, since some are individualized. A figure was settled upon. I am not sure if there is an actual enrolment limitation per se in any statutory sense. I do not know if that is even allowed by provincial law. That is the way it arises, out of the desire to get good competition but also out of space configurations.

Mr. Reycraft: Are applicants screened in some way?

Mr. Doern: Yes. They have to audition.

10:20 a.m.

Mr. Chairman: Where there has been a more mature program, for instance, in Toronto, they have had to do auditioning. To cut down numbers, they have been limiting them. Students who have appealed to me are saying they wanted to go to the Toronto school for performing arts and were rejected.

Mr. Reycraft: That could become a problem. What other areas are offered? You mentioned vocal music and instrumental.

Mr. Doern: Dance, vocal, instrumental and drama are the four.

Mr. Davis: I would like to thank our presenter for bringing that concern to the committee. I think those of us from the Metro area are well

aware of the various high schools set aside for what they call the performing arts. There is a qualifier where the students have applied to them. There is one in Scarborough, one in North York and one in Toronto.

In large metropolitan areas, I guess it is easy to have one or two of these distinct, unique schools. In smaller areas where the schools are set up and are now involved with two groups, I think it is incumbent upon that locality, and certainly we can urge the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario to do this, to make sure there is a valid reason in student enrolment to make two of those kinds of schools.

I would certainly ask that this kind of concern be passed on to the planning and implementation commission, to guarantee the uniqueness of certain programs already in existence. If they are developed in the future by coterminous boards, it should be done on a shared basis. I think that is imperative.

Mr. Chairman: You are making a very good point. We ought to look at whether we should put it specifically into the legislation or whether it is something we want to ensure the planning and implementation commission has in its guidelines. Mr. Doern makes the point, which is a good one, about what comes after the period in which this operates with respect to making sure that co-operation is there. That may be handled better by your third point, which is a notion we have been talking about, concerning an imperative of some sort for a joint management committee to make sure there is co-operation.

Given that we are looking in that direction and want to make sure there is not unnecessary duplication that could jeopardize the program in both systems, as you have mentioned, I have a little trouble with your second point, which mandates public hearings. If we had those other two parts, that there was a need to co-operate and some sort of guideline limiting the capacity of boards to move into this automatically, would not the fact that the boards are public and therefore have public meetings before they make any decisions be sufficient guarantee of public input, and using your own local suasion as well?

Mr. Doern: I think you could reasonably argue there may be a form of legislative overkill if all three points here were provided. However, in principle, we would urge you to include at least a couple. I guess I would reverse them and say the first ought to be there because at least that is a principle about the burden of proof. I think

the third is perhaps more difficult to legislate in some respects, if you have to get into the definition of what "jointly manage" means.

The second one is easier to include because it seems to me it addresses not just what happens within the local democracy of two separate boards, but the question of whether there is another mechanism that forces the exchange between them to go to one place. Otherwise, I think it is too easy for it to get bound up within. The whole purpose is to tease out—I suppose that is the right term—alternatives for co-operation, including joint management and others.

Where this proposal may be a bit lacking in detail on this second item is whether that kind of hearing process requires that it be presented to the Ministry of Education. Now it just calls for hearings. I did not want to elaborate too much on that for the simple reason it seems other parts of your legislation have problems about who is hearing what, arising either out of the planning and implementation commission or other issues. It seemed to me that it would be a bit pretentious for me to try to tease out details on that when you would presumably want to be fairly consistent across the whole bill about some of those items.

If I were urging you to incorporate some of these in order of importance, I would say first (1), then (2) and then (3) in the sense that (3) is the most difficult to specify in advance. But we certainly urge that it should be explicit in the legislation rather than simply give a behind-the-scenes guideline to the planning and implementation commission.

Mr. Chairman: Thank you very much, Mr. Doern. I was thinking out loud this morning and wondering how many more new things we were actually going to deal with other than reiterations, and the first one up this morning adds a new wrinkle. Thank you very much for taking the time to come down.

Our second deputation is from the Ontario Catholic Supervisory Officers' Association. There are a couple of familiar faces here, so I do not have to explain how we operate. You can just introduce yourselves and get started. This is item 757.

ONTARIO CATHOLIC SUPERVISORY OFFICERS' ASSOCIATION

Mr. Stephens: I am John Stephens, president of the Ontario Catholic Supervisory Officers' Association. With me is Ken Regan, director of the London and Middlesex Roman Catholic Separate School Board, and Brian Giroux,

director of the Nipissing District Roman Catholic Separate School Board.

The Ontario Catholic Supervisory Officers' Association is a group of some 235 practising school administrators. We represent 41 Roman Catholic separate school boards and most regional offices of the Ministry of Education.

We assume you have had an opportunity to examine our brief, so we will not waste your time by reading it. I simply want to convey to you at the outset the general satisfaction of the Catholic community of Ontario and of our association at the generosity of the Legislature. While we are suggesting some minor changes in the bill, we are basically very satisfied with the work of this body.

The introduction to our brief emphasizes three things. First, it is well documented that Canada is a mosaic rather than a melting pot and that, in an effort to keep this country together, we as a people have tried to emphasize and recognize the differences and make allowances for them. This has been a central part of the success of this nation. This was recognized at the time of Confederation and is recognized in the bill before this committee.

We would also like to point out, although I am sure it has been mentioned many times, that we are talking about a system that is in place and that has been in place for a great deal of time, since the outset of this nation. We are at this point talking about adding two grades to that system and, in a sense, completing it. We are not talking about building in a vacuum.

We also have 150 years of experience with this dual system of education, and it has served the province well. If you examine the relationship among the peoples of this province, I think you will see that separate schools have had a unifying rather than a divisive effect. Until the emergence of this bill, we as a community were not aware of any divisiveness resulting from the fact that separate schools extended from junior kindergarten to the end of grade 10.

10:30 a.m.

Part 2 of our brief deals with the distinctive mission of the separate schools, something we have observed this committee to be acutely aware of; so we maintain confidence that the committee will recognize it in the amendments it suggests. The only observation I would make is that it was extremely difficult to condense Thomas Aquinas and 2,000 years of Roman Catholic theology into 11 sentences.

In part 3 we looked at programs. We want to emphasize that separate schools are quite anxious

to offer the full spectrum of programs at the secondary level at all levels of difficulty in the spirit of the document, Ontario Schools, Intermediate and Senior Divisions. In doing this, we will look at imaginative ways of program delivery. We certainly want to reassure the committee and the people of Ontario that we would be prepared to co-operate in the delivery of those programs to the community as a whole.

Part 4 of our brief looks at the question of access. I would say that, as a group of administrators, we are not anticipating large numbers of pupils seeking to transfer from the public school system to the Roman Catholic separate school system. The experience from September would bear out this observation. That is quite understandable. As a people in Ontario, we recognize we have an excellent school system, so there is not likely to be large numbers.

For those students who do wish to come, we would welcome them, particularly those who come for the reasons stated in the legislation. We fully support the intent of that section of the bill to provide access for those pupils who, of necessity, must attend a separate school rather than a public school. We would be prepared as an organization to support even further recognition of that right of those who must, of necessity, attend.

Part 5 of our brief touches on personnel. We mention a number of areas. I would like to emphasize in this overview simply the feeling that the legislation should recognize and maintain a mechanism for the voluntary transfer of staff, probably and preferably through the use of local agreements under the supervision of the planning and implementation commission.

The advantages to that are fairly obvious. First, since secondary schools have not been the norm in the separate school system, many individuals who would have been quite at home in that system have sought employment in public school systems. Now that this opportunity is available to them, many would like to take advantage of it.

Second, an Ontario Teachers' Federation survey indicates that there is a larger preponderance of women at the lower seniority levels in the public school system. Under the current legislation, the use of designated teachers would tend to skew the number of female teachers coming into the separate school system, probably to the disadvantage of affirmative action programs that are currently being generated in both public and separate school systems in Ontario.

Third, if volunteers are utilized, as they were in the board I represent this year, one is able to get a better selection, a match of pupil or teacher to program need. Also, in a voluntary transfer system, those people who would not be at home in a separate school system, whom we might label as conscientious objectors, but who find their personal philosophy of education is not compatible with that espoused by separate schools, would not be compelled because of their limited seniority to seek employment in the separate school system.

Finally, a voluntary system aids both public and separate schools by permitting a blend of experienced and newer teachers to come over to the separate school system. Starting into secondary schools, we certainly need and want the expertise of those experienced secondary school teachers who would want to come to work in our system. At the same time, it is advantageous to the public school system that they not be depleted of their younger teachers so that their staff artificially is aged in this process of ensuring that no teachers are left at a disadvantage as a consequence of this change.

Part 6 of our brief deals with jurisdiction. We feel the bill is particularly wise in allowing flexibility and time for school boards to work out local solutions.

Part 7 of our brief deals with funding. As administrators we recognize some fundamental problems with the basic structure of school funding in Ontario. There is a 70 per cent spread between the level of funding in the wealthiest boards in this province and those less well-advantaged with corporate tax assessment.

Our brief does not address this particular problem since it is not part of the legislation. We strongly support the twin thrust of the bill to maintain the vitality of the nondenominational public school system, while at the same time preserving the accrued rights of separate school boards to raise taxes and issue debentures.

Part 8 of our brief looks at the planning and implementation commission. As a group of administrators who have had to deal with that commission, we want to commend the excellent work and record it has established since its inception. We feel the bill is correct in continuing that role and not wasting the expertise and confidence that that group of administrators has developed throughout the province. We feel the work of the commission is suitably subject to the scrutiny of the minister to ensure the will of the Legislature is carried out fully.

Finally, in the conclusion of our brief, we recognize the sincerity of those who are opposed to this measure. We maintain, however, that that opposition flies in the face of the experience we have had as a people, not only in Ontario but also in Canada as a whole. Four other provinces offer separate-secondary-school education and have been doing it for a number of years without any detrimental effect to the education of all the children in those provinces.

As I mentioned before, we have 150 years of experience with separate schools in Ontario. We maintain that experience has been mutually beneficial to the people of this province.

In a rather informal survey we took as an organization—I would not want statistics quoted from it—we identified approximately 2,000 students and 130 teachers who have moved to separate schools this September as a consequence of this change. I am able to report that those students and teachers are doing well, and so are the teachers and pupils they joined and those they left behind.

We want to thank you for this opportunity to speak to you and we would be happy to answer any questions you have concerning our brief.

Mr. Chairman: Thank you, Mr. Stephens. You are definitely a master of the précis. Anybody who can get Thomas Aquinas down to 11 lines is doing a splendid job. We should set up courses for this and perhaps all parliamentarians would have to apply and use it in their speechifying.

You said the statistics are not valid. Can you tell us a little about how you did your informal survey and whether the figure of 6,300 still being kicked around is relatively accurate for province-wide figures? What sort of sampling was there and how did you do it?

Mr. Stephens: Our association is divided into six regions. Each region is represented on the board of directors. The secretary of the organization was instructed to phone those six individuals and ask them to poll their regions. Our figures are not at all accurate, simply because we did not get complete results from everyone. This was done before September 30. I am quoting figures I felt were approximate and I could rely on. I could not report on those from which we had no information.

10:40 a.m.

Mr. Chairman: Does this include large jurisdictions such as Metropolitan Toronto?

Mr. Stephens: It includes all jurisdictions, but we have no accurate figures from Metro separately.

Mr. Chairman: So you do not know whether the 6,300 approximation that has been used in the last week or so, which I have heard is pretty accurate, is going to be close, or whether your 2,000 figure indicates that it will be much lower than that.

Mr. Stephens: My guess is that it will be much lower than that. It depends on how you are analysing the 6,300 students, whether you are looking at the difference between those who would have been there in any event or whether you are simply looking at the number of students who are there.

Mr. Bernier: In the six regions, was there a common thread or problem that surfaced in that brief survey you did? Did anything surface in the way of a problem?

Mr. Stephens: Unfortunately, we were not looking for any problems, but no problems did emerge. I am sorry I did not bring the survey form with me—I did not, simply because it is a very rough guesstimate—but a number of boards had no teacher transfers because of the attrition factor. In others they were having difficulty determining just what kind of a real increase there was over preceding years.

Mr. Bernier: But if there had been a problem, I am sure it would have surfaced in some way.

Mr. Stephens: We have not identified any problems at all since September. Things seem to have gone extremely smoothly across the province.

Mr. Bernier: Better than you expected?

Mr. Stephens: No, because I have tremendous confidence, as a representative of administrators, in the ability of the administrators of Ontario's schools to cope with change. I think in this room we all recognize that we are serviced by one of the finest education systems in the world, not only in Canada. That is attributed in part to the ability of the administrators of this province. We are going through a change process, but we have able administrators and they seem to be coping well with the change.

Mr. Offer: Keeping in mind your comments on page 2 about the mission of the separate school system and on page 4 about access, what is your opinion on whether that mission could be maintained if there was full access to the separate school with the same provision to opt out of religious classes as now appears in the bill? In other words, there is not an automatic exemption from religious classes for those who just wish to attend the separate school. I would like to get

your sense of whether that might still maintain the mission of the separate school.

Mr. Stephens: The answer is highly speculative, but I assume that separate schools would be able to maintain their spirit if there were full access, for two reasons. First, I have confidence in the ability of the teachers and pupils and parents who establish the goals for those schools to keep them in sight, maintain them and create a welcoming atmosphere that would enable people coming in to flourish and enjoy it without being disruptive to it.

Second, as I mentioned in my brief overview, as administrators we are not anticipating that even if the legislation is changed to offer full access, there will be a wild stampede to the separate schools. Why would there be? We have recognized from the outset that we have an excellent public school system.

We are talking about students who might be attracted because they and their parents feel some affinity for the goals of the system. I doubt that would affect our mission. On the other hand, if we have open access, we are going to get a few people there because they like the look of the cheerleader who is third in the row.

Mr. Allen: Just pursuing that line of questioning for a moment, could you explain what advantage, if any, resides with the system by the control mechanism of space availability? What significance does that have to you as people managing the separate system?

Mr. Stephens: That is a concern to many separate schools, and I may ask my colleagues to comment on this as directors of education. We recognize that separate schools have been offering a secondary education on elementary school grants and with elementary school restrictions in respect to the buildings that have been constructed. There is a desperate shortage of space in separate schools and I know this committee has been subjected to some horror stories of schools that consist entirely of portable classrooms. Space is at a premium.

From a strictly administrative point of view, that does represent a very real practical problem for separate schools. For that reason we see that mention in the bill as a realistic reaction to a reality that exists in separate schools in this province. Ken and Brian have practical experience. Is there anything you want to add?

Mr. Regan: In London we are operating a high school with about 1,750 students when the rated capacity of the building is 1,100. We offer programs in 10 portables, two houses across the

street, the back end of an old convent, anywhere we can put a classroom and desks.

To say we are willing to take more students in there without someone providing additional space to us would be foolish. We do not have space there. We have to have some control over those who come in or some option to get more space for our needs.

Mr. Giroux: In North Bay we have approximately 850 secondary school students and we are currently using six portables. Approximately 11 per cent of our secondary school students are non-Catholic. We have always accepted anybody who wishes to come, but we are concerned about space. We are not quite sure what is going to happen in September 1986 because we are growing.

Mr. Allen: It may be naïve to ask you this question in this way because—

Mr. Chairman: Naïve, after 700 submissions?

Mr. Allen: Space availability is obviously a criterion that relates to availability of space. It is a circular question in a sense. In another sense, it is obvious that the systems do sometimes use criteria and mechanisms for purposes that were not originally intended. I wanted to press you a little further and ask you whether it is a mechanism you need to control numbers or to flow the system more adequately, regardless of whether ideally, with the money available and the space in place, you none the less prefer to see that clause there.

Mr. Stephens: Again, that is highly speculative. Given the best of worlds, I think the retention of that clause would not be a major concern to separate schools.

Mr. Allen: In other words, you are saying if space were available, it would become inoperative?

Mr. Stephens: It has pretty well been a tradition in the systems I have worked in, where parents have genuinely sought that kind of education and we have had space available in elementary schools, that the students were admitted. I strongly suspect that tradition of welcoming people who are interested in an education based on a recognized and set moral philosophy would continue, but we do have some very practical problems in the province that I am sure you are acutely aware of.

10:50 a.m.

Mr. Allen: Yes, we are. We have also been asked whether it should not be more strictly defined in this particular clause that space

availability should be somehow more clearly related to program space as distinct from gross space measured on a large, system-wide basis. Do you have any comments on this or anything that would help us in this respect?

Mr. Stephens: I am going to turn to my colleagues and ask them to respond to this as well, but when we look at the question of access we have to be reasonable. As a parent, I can relate to my own daughter's experience this year while she attended a public high school in our town. In the school she attended she was not able to get the program she wished because that program was filled up.

All school boards have mechanisms they use to limit the size of classes and to identify when a new section will trip in on the basis of the enrolment. It becomes difficult when you begin to play with something like program. If we are one student beyond, do we open a new section? What does "access" mean? Does it mean the student has access in the sense that, "Yes, this program is available on the other side of town and he can get it there"? There are all kinds of practical things. In the public schools of Ontario, while every student has a right to attend, this does not necessarily mean he can pick the exact program he wishes.

Ken and Brian have had more practice with this than I have, so they might want to respond.

Mr. Regan: I am sure you recall, Mr. Chairman, that when you were in London you received a brief from my employer, the London and Middlesex school board. I think it was brief 564. No doubt it stands out in your mind.

Mr. Chairman: It is still imprinted on my mind.

Mr. Regan: Yes, I thought it would be. The board said it believed the law could be changed to allow open access without any restrictions as to space or other requirements of that nature, but that attached to it would be the requirement that such students would come with the understanding that they would participate in the full program of the schools. I recommend that this position be considered by the committee.

Mr. Giroux: With respect to both room space and program space, all boards, whether public or separate, have always had to cope with this, have always had to come to grips with this at all levels, so I do not think we are dealing with anything new. It is something we have always had.

Mr. Davis: I was wondering, gentlemen, whether someone could explain to me what you meant in your statements on page 6. The first

statement says, "the permissive nature of the right of election by a separate school board, which will allow boards to time their elections and implementation to suit local conditions." I do not know what that means.

Mr. Stephens: We are referring here to the fact that there is no time restriction on when a board may pass a bylaw seeking to offer a secondary school program.

Mr. Davis: To elect to participate.

Mr. Stephens: Yes.

Mr. Davis: Okay. I misunderstood that. Would you also explain on page 6 the thrust behind the third paragraph, which talks about the single-school communities?

Mr. Stephens: We recognize that single-school communities are a concern to this committee and to the people resident in those communities. We are confident that local discussion and co-operation under the supervision of the planning and implementation commission and the Ministry of Education can result in satisfactory arrangements based on the desires of the local communities. That is aided and abetted by the fact that this legislation does not impose an artificial deadline that would insist that plans or bylaws be submitted by such-and-such a date.

We are suggesting that the way the legislation is written allows for local communities to co-operate, discuss and explore over an extended period of time, and we have confidence that they will come to some conclusion. I believe in an earlier brief you received from the Completion Office Separate Schools, they indicated they would be willing to see some mechanisms set up to assist in that kind of discussion process.

As a committee, you have travelled across the province. There are many small communities in northern Ontario. We have some outstanding examples of co-operation coming from the north. We have a few situations that are not so outstanding, but by and large, the smaller communities have a history of working together. I come from Thunder Bay and, quite frankly, I am proud of the way the two boards, public and separate, have worked together on this. They have a history of joint programming and planning.

Mr. Davis: I understand the great consternation that exists in the public with respect to the single-school communities. There is the deep fear that local high schools, which have been in the public jurisdiction for aeons, will suddenly transfer and become separate schools. Parents and students are concerned that children will

have to be bused from community A to community B to receive a public school education.

For example, the youngsters on farms are concerned about the chores they look after. With the problem of transportation in respect to extra-curricular activities, children feel they will be deprived of that kind of opportunity. You and I know that when you start busing children, that is a reality unless parents are going to drive in and pick them up or unless you reschedule buses to run back and forth, which becomes a costly program.

Would it be fair to say the first and foremost principle governing the single-school community and coterminous boards should be sharing the building? Would you agree to that overriding principle in those communities?

Mr. Stephens: We would recognize the legitimacy of the desire of communities in Ontario as expressed in your question. We would emphasize that the first principle should be the working-out of a co-operative local solution to local problems.

As an auxiliary to that, the maintenance of the viability of the high school in the single-school town would be secondary. When you are dealing with this question, I do not think it is possible to look at a province with communities as varied as Ontario's and come up with a single approach that will suit. That is why we feel the correct procedure is to permit communities to work these out.

Mr. Davis: When one understands the basic deliberation of the then Premier Davis and the present Minister of Education, who states very bluntly and quite emphatically that there will not be funds for building new schools, it seems the process of sharing buildings must be the primary principle. If not, the cost of the education process for the separate school funding increases dramatically, because then you are into capital costs.

11 a.m.

With respect to those single-school communities, I have a question based on two premises. These primarily deal with the quality of education for students and the right every student in this province should have to a selection of options from which to choose.

Understanding that the Ontario Schools, Intermediate and Senior Divisions guidelines are still part of that process; also understanding that in many of those single-school communities the centre of social existence is either the community hall or the high school, but primarily many functions are out of the high school; and

understanding what is in the various presentations that have come before us from members of your organizations, directors of education, professional educators and also from the public education system, would you say it would be a fair statement that in schools with fewer than 500 students, those schools' jurisdictions should not be allowed to create a coterminous separate school board in which we split the 500 into two jurisdictions of 250 or 300 and 200, or whatever the split is, but that we should have within that jurisdiction, within that single school, an ambience of catholicity, and that the local board should be required to have a chaplain on staff who would be responsible for the spiritual aspects of those students, should have a Roman Catholic teacher for guidance and family life and should provide opportunities during the regular programming for the liturgical expression of the Catholic faith?

Mr. Stephens: I would like to be careful how I answer that because I represent a constituency that consists of many single-community towns. Given the corollaries you attached to your questions, as an administrator I think I would have to say that in a practical sense the solution you are postulating is a reasonable one in many communities.

However, I would caution against trying to establish artificially a per pupil enrolment figure as a sign of the viability of a school system. I will direct the committee, if you do not have them, to a number of papers that have been produced recently on small schools. Given our geography, we have much experience in Canada with tiny high schools. I suspect there are members in this room, who are obviously quite successful in life, who have graduated from and come from schools considerably below the number 500.

I commend to you the recent paper produced for the British Columbia government on small schools, the paper produced for the Ontario government by G. Rodger Allan on northern schools and a paper that has not yet been released, but I am sure will be shortly released, produced in conjunction with our organization and COSS, Completion Office Separate Schools, which addresses the question of small schools.

We have examples in this province of schools with as few as 70 pupils that are very viable. The key to viability is the congruence of the aims of the parents, the pupils and the students in respect to what they expect from an education. I think the closest example of a small but very successful school would be the St. Michael Choir School. I

believe it has grades 9 to 13 with 120 pupils. Without getting into a large debate—

Mr. Chairman: In fact, you will not because I have to cut you off.

Mr. Stephens: Saved. Thank you, Mr. Chairman.

Mr. Chairman: We could get into the viability discussion ad infinitum, as we already know. I thank you very much for the new reading list you have given us. Since we have the week off next week, we will try to get the members copies so they will have something to keep them in touch with the flow of completion of Catholic school funding while we are not having hearings.

I am going to move us along because we have a busy day and I do not want to set some precedents today of going over with other groups that are here. The next presenter is T. Johnston, no relation; it is item 758. Mr. Johnston, take a seat in front of me. There is a shift of deputations with people needing their coffee at the same time. Just make yourself comfortable.

T. JOHNSTON

Mr. T. Johnston: I am not exactly a speaker or anything like that; I am just an individual. It is a hard thing for me to come before my government and have to say anything to it, because the government should be representing me. To me, this whole idea is just so absurd and unfair and against our freedoms.

I do not do much reading, but I do some and I have brought a list of books, as you probably saw in my brief. We will take, for example, *The Freedom of the Individual in Society*. It talks about having to defend ourselves consistently. It talks especially about how we had to defend ourselves during the wars against tyranny and against oppression, and I feel this is the case here. It talks about the individual having to stand, and that is exactly why I am here today, although I do not know much about what I should be saying or how I should be saying it, and that is about that.

Mr. Chairman: We have had many individuals come forward who are not used to coming before parliamentary committees. You are not the first and you should relax. One of the things you can do, if you want, is to read your submission into the record. Then I can open it up for questions, if you like. We let you decide how you would like to proceed. That way it gets on the public record. If you would like to do that, it would make your points, I think. Then I can open it up for questions.

Mr. T. Johnston: Okay, fair enough. This is the best way I had a chance to write it, and I wrote it in quite a hurry as well.

My intent in this submission is to show how wrong it is to fund any separate school at any level. The free public school system now in place is one of the best in the western world. My intent is to ask my government not to fund the Roman Catholic separate school board to grade 12.

As a Canadian citizen I have certain rights, and one of those rights is where I and my children go to school. If I choose not to use the public system, which is my right, then any school that I or my children attend should be funded by me and by those Canadians who wish to use that school system.

Bill 30 refers to the "unique mission of the Roman Catholic school system." I consider that the history of the Roman Catholic Church is proof to this present government of how oppressive and tyrannical the Roman Catholic system can be. As an example, I note the Spanish Inquisition of 1559 and many other instances that we could find through John Foxe's *The Book of Martyrs*.

The history of the Judeo-Christian church is one of rejection of God in favour of self or temporal authority. I have brought roughly four verses: Genesis 1:27; 1 Samuel 8:5 to 22; Isaiah 66:1 to 24, and Ecclesiastes 12:1 to 24. When I originally wrote this, this is how I basically put it:

God created man in His own image. Before our Creator, we as individuals stand.

In 1 Samuel 8:7 it is suggested that the people rejected an individual god and that God has not completely rejected man. Isaiah 66:1 to 24 says that the experience of education is that we should fear God and that we should serve Him.

If it is the intent of the government to follow this historical initiative, as Bill 30 suggests, should the government not insist that the Roman Catholic Church reform to its Protestant wing, or reform to Protestantism, which is part of a Catholic system, unfortunately?

I am an individual who cannot attack a man for choosing his course in life. I would hope to introduce him to the person of Christ; yet it is his choice. I must object to the Roman Catholic organization, which demands total obedience to its laws and tells you not to think, that it will tell you what to think. That is tyranny.

The Roman Catholic organization is not consistent with scripture and will change any policy at any time it deems it to be in its favour to do so. The government of Ontario is naïve if it thinks it can trust inconsistency.

11:10 a.m.

At this time, I had the Pocket Oxford Dictionary with me, which I do not have today. It defines "separate" as "physically disconnected, forming a unit that is or may be regarded as apart or by itself, distinct, individual, of individuals." By asking for public funding, the separate school board is ceasing to be separate.

Hitler claimed to be God on earth and Canadians died to stop his government from making demands on our nation. The head of the Roman Catholic Church insists that he is God on earth. Do we not oppose him or do we owe an apology to the Nazi party for having opposed it?

The term "equality" means equal. That means I am an equal to every man on earth and each man is my equal, for there is no respecter of persons with our Creator. In Ontario, we are supposed to have equal opportunity education, but the Roman Catholic separate school board does not treat all students as equal because of their religion. This is discrimination.

I do not understand how or where the funds will come from to increase any program or create new ones when we as a government are in debt. Our reserve and militia forces are in desperate need of increased funding. That I know.

If we accept the premise of a moral society, then we must consider it morally wrong to allow funds to the wealthiest religion in this country. It must be seen as wrong for our government to support any religion. The government must, on such issues, hold a referendum before using taxpayers' money to fund any religious organization.

At the bottom, I have used the following sources in preparing this brief, which I have read: *The Golden Booklet of the True Christian Life*. This is actually a part of Calvin's *Institutes of the Christian Religion*, on which apparently our education system is based.

I have also used *The Four Reformers*, which talks about the Reformation period and why people felt the need to be free from the Catholic system organization.

Also, I put down *The Freedom of the Individual in Society*, which was printed in 1948 by the Toronto Ryerson Press.

Also, obviously, I have cited scripture, the King James version, which is what this government should and does recognize.

That is basically all I had a chance to write because I decided as an individual to come and say what is right.

Mr. Chairman: The public hearing process is for everybody who wishes to be able to make his

views known to us. As you might have noticed, you are the 758th we have had. A fair number of them have been individuals and they have been taking all sorts of different sides and positions on this matter.

I would not suggest committee members are necessarily going to agree with the position you have taken, but you have a definite right to come and make that presentation to us and try to affect the way we are thinking about this. So it is good that you have come. You are on record, you have made your points known and I hope you feel you had your day.

Mr. T. Johnston: I appreciate it. As I say, it is about the best I can say. I am not one with facts and figures as far as money goes. As I said, our militia force—and I do know that for a fact—needs extra money, instead of money going to a situation such as this.

Mr. Chairman: I want to explain to you that the province does not fund the militia. Defence is the federal government's responsibility, not ours.

Mr. T. Johnston: You can make donations.

Mr. Chairman: God knows, we are hit for everything else. I would not be surprised if we got a request from the militia as well. I appreciate your coming to see us, Mr. Johnston.

Our next item is from the Ontario Secondary School Teachers' Federation, District 27, Simcoe. Welcome. I have a group of names, but I am never sure whether I have them right or not; so it would probably be best if you introduced yourselves and then just took us through your brief, 759, in any way you would like to, either reading it into the record or referring to it, whichever you prefer.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 27, SIMCOE

Ms. Kingsley: On behalf of Simcoe division, District 27, Ontario Secondary School Teachers' Federation, I would like to thank the committee for the opportunity to appear before it and present the local concerns of our district.

Before we highlight these concerns, I would like to introduce our delegation. Marilyn Foster is our provincial counsellor and also our district first vice-president. Richard Austin is the past political action officer of District 27 and Robert Spurring is the present political action officer. I am Gail Kingsley, district president.

Currently, we have public secondary schools located in the following communities: Alliston, Barrie, Bradford, Collingwood, Elmvale, Mid-

land, Orillia, Penetanguishene and Stayner. All are single-public-secondary-school communities, with the exception of Barrie and Orillia. This local fact is of significance because in September 1985 the Simcoe County Roman Catholic Separate School Board opened four new secondary schools in Bradford, Collingwood, Orillia and Tottenham, which have affected and will continue to affect enrolments in the public secondary school system.

According to the Simcoe County Board of Education impact statement, all secondary schools in Simcoe county except one in Barrie will see a drop in enrolment. Of course, when that happens, program offerings are affected, especially in small schools. In Simcoe county we currently have four small schools, Elmvale, LeCaron, Penetanguishene and Stayner.

At this time, Marilyn Foster will address the committee, voicing our concerns with regard to having two parallel systems in operation. Richard Austin will follow on the subject of free access of students. Robert Spurring will complete our summary by voicing our opposition to any form of discrimination.

Ms. Foster: My first area of concern covers the concept of parallel systems. People have argued that Ontario residents cannot afford them. What they do not understand is that the systems are not parallel since public schools are open to all students and staff without discrimination, but for the most part the Roman Catholic separate secondary schools welcome only those of their own faith. They accept non-Catholics only as space allows, never on a first-come, first-served basis.

If Roman Catholic schools are to receive full funding for secondary education, one should be able to expect that all courses and the proper equipment for them would be provided for students within their school buildings. At present, most separate secondary schools will not be able to provide the expensive courses on their selection sheets. Technological studies, business courses requiring specific machines, science labs, gymnasias, instrumental music programs, etc., will be sacrificed due to the high cost of equipment and lack of space.

The suggestion that facilities could be shared is less than satisfactory. It requires great sacrifice for both systems in trying to fit courses around each other's timetables. The cost of replacement and repair increases when equipment is shared. There is no real sense of ownership felt by the second group and anger is experienced by the one responsible for the equipment and its cost. It is

unnecessary to separate and divide what has been provided for all students by the public school system.

In order to circumvent the legal problems, the Ministry of Education has had to redefine "elementary" in order to allow the granting of the secondary school graduation diploma, which requires 30 secondary school credits. The separate secondary schools are granting elementary credits to the end of grade 11.

11:20 a.m.

The cost factor was downplayed by the Conservative government and is now by the Liberal one. According to last week's *Globe and Mail*, several communities have looked at their budgets and tax increases for 1986. The increases proposed range from five per cent to 12.75 per cent in Hamilton, Windsor and several other communities. Simcoe county will also have to fund the over-ceiling expenditures from a reduced assessment base.

What happened to the guarantee to the public that the extension of full funding would cost no more and that the existing tax structures could foot the bill? Can we assume the government will undertake to revise the general legislative grants to guarantee an additional local tax burden will not be incurred by public boards?

Bill 30 makes some effort to lend protection to teachers of the public system who may face redundancy because of a transfer of students to separate schools. In Simcoe county, it is difficult to see the real effect of the extension of funding. The loss of jobs in our county was masked by 17 retirements and 25 teacher-funded leaves. We also had 14 teachers transfer to the separate school system to staff the four new separate secondary schools.

The two boards agree that 160 students have been lost to the separate secondary system and this is the equivalent of 10 teaching positions that have been lost to the public system. Simply to look at the present system's situation does not tell the real story. One must delve much deeper to see the cost this year and to realize the potential loss to the teachers of Simcoe county's public school system in the future.

Mr. Austin: Student access to publicly funded secondary schools is my major concern. The present terms of Bill 30 allow non-Catholics to attend publicly funded separate schools or Catholics to attend public secondary schools only if there is space available. If this becomes law, a complete educational schism would soon develop in Ontario between Catholics and non-Catholics. There is no guarantee of access to

public schools for Catholic students. It is unlikely that many would want to take a chance of applying and then being rejected at the last moment. The same would apply to non-Catholic students and Catholic secondary schools.

The proposed division in our publicly funded secondary schools would soon be reflected in our society with tensions developing between Catholics and non-Catholics where almost none exists now. An example of such emerging tension is the Loyal Orange Association's information sheet entitled, "The Great Betrayal: Your Tax \$\$ To Support Another's Religion," which I think you have. It makes a point about the "potential dangers to the future of religious freedom in Ontario," and says, "No one should be forced to support another's religion!" That was circulated in my community last week.

The public funding of one religious group at the secondary level opens the way for all religious or philosophical groups to have their own secondary educational systems. Public secondary education should be open to all and not just to a select group. Secondary schools supported by everyone's tax dollars should be available equally to all students. Anything less will be divisive and a great step backwards for Ontario.

Mr. Sporrington: I have had the opportunity to be at two select committees in the last year, one on the Barrie-Vespra annexation and this committee. I notice a member who has sat on both of those select committees. I think Mr. Epp is a gentleman in the utmost respect of the word and I am happy to see him on this committee.

Mr. Chairman: It is amazing he is still alive.

Mr. Sporrington: I am sure you have heard most of the arguments on discrimination before, but I think some of them bear repeating. We are very concerned with some of the discriminatory parts of the bill and we would seriously hope that you would ensure in your deliberations that nondiscriminatory hiring, employment, evaluation, promotion and practices, and student access must be a continued right in all publicly funded systems.

In summary, we must concur strongly with the last part of our brief, that it is essential the nondiscriminatory provisions of the Canadian Charter of Rights and Freedoms be applied to all publicly funded secondary schools. The special privileges currently granted to the Roman Catholic school system under the Human Rights Code must be withdrawn and the democratic goal of equal opportunity for all in education must exist.

Ms. Kingsley: We are open for questions now.

Mr. Chairman: All right. I appreciate your covering new ground that was not specifically in the presentation you had written for us.

One thing was not clear in the statistics you were using, and maybe you could make it clear. Do you have the figures now? I remember when the boards were before us in the last little while, they did not have the final figures on how many students had actually transferred to the various schools. They talked about the new school in Tottenham, etc., being established, but they had not talked about how many had actually moved out. Ms. Foster, you used some figures and I was not sure when they were for.

Ms. Foster: Yes. Mr. Bolger, the director of the separate school board, made the statement that he believed it was that many. For example, I know that exactly 38 students are registered in the Orillia school, with four teachers, and 38 students are registered in the Collingwood school.

Ms. Kingsley: There are 64 in Bradford, and because there has been a transfer of students from Newmarket into the Tottenham school, there are, I believe, approximately 138.

Ms. Foster: We had a large number of students who attended out of our county who had used the facilities in York county and moved back into the county when the Tottenham school opened.

Mr. Chairman: When we look at these figures, we have the ones who are going from York to Simcoe and the ones who are going to the Collingwood school; Bradford, I guess, is new too.

Ms. Kingsley: Yes.

Mr. Chairman: Were any of them going to other Catholic schools and being bused elsewhere at that time, or are they grade 9s, 10s and 11s?

Ms. Kingsley: They are only grade 9s. They are brand-new situations. The Tottenham situation is different. It runs a full program from grade 9 to grade 12. This does not necessarily mean that all levels are offered or that all programs within a normal secondary setting are there. We predicted in our brief when we went before the commission that we would lose 623 students. We received those figures from the Ministry of Education, from the ministry reports that were issued.

According to the director of the Roman Catholic separate school board, there are 600 new students in the separate secondary schools.

We did not mention—it is mentioned in our brief—that a secondary school in Barrie is also predicting it will open in the future, 1986-87, a second secondary Catholic high school, and there is one that was established from grade 9 to grade 13 that is still in existence in Midland as well.

Mr. Allen: Neither in your brief nor in your remarks have you really dwelt very heavily on the provisions of the bill that relate to teacher protection and transfer arrangements.

I presume you have been following the discussions of this committee. Are you satisfied with the directions in which we are moving in that respect, moving towards voluntary transfers, the possibility of attempting to work out some provision for a conscientious-objection clause to protect a teacher's standing on a designated list so that the refusal of a position for reasons of conscience would not result in loss of standing on the list, the clauses with respect to nondiscrimination in the new system on the basis of creed and expanded in terms of lifestyle? Are those directions basically satisfactory to you after having looked over the issue to date?

Ms. Kingsley: No, they are not. The reason is that you still have the 10-year cap in your bill. We feel that is—I will use a very strong word—ridiculous, because as long as there is a 10-year cap you still have discrimination. As long as you do not have free access, you still have discrimination.

As long as what you are looking at is simply sending volunteer members over, that is an easy way of handling it. But we may have Roman Catholic members within our schools who do not wish to volunteer to go to the separate school board. We also have redundancy clauses. Therefore, as soon as there is a loss of students or a loss of programs, then you have individuals who are being discriminated against.

11:30 a.m.

We may also have individuals who move to the separate school system and they may have ambitions to move up through that board. According to what we are hearing, again there are discriminations. No, the bill is not satisfactory in its present state.

Mr. Allen: We have heard a fair amount of testimony which indicates that in principle there is no problem with promotion of non-Catholics into a broad range of supervisory personnel positions. I hope that happens. It might also be affected by the numbers who transferred as to whether it happens frequently or not.

With regard to your concern about the continuation of discriminatory hiring, clearly the provisions for 10 years for those transferring will continue throughout the rest of their careers in the separate system. I presume you are aware of that. However, are you aware the constitutional judgement could underline once more the judicial propriety, if I could put it that way, of the existing Human Rights Code amendment, or exclusion, which permits the separate schools to hire on the bases they use, simply because of the constitutional protections? The legislation, if it moved in that direction, could easily be struck down at that point in a court challenge.

Ms. Kingsley: Yes, we are well aware of that.

Mr. Chairman: It could be struck down in any number of directions, as we know, and these 800 briefs or so may prove it. It has been a wonderful summer anyway.

Are there any other questions or comments from committee members?

Mr. Bernier: I have one quick question. Six hundred students have moved from the public to the separate school system in your county. Have you noticed any disruption or real problems? Has there been a loss of programs in the public school system?

Ms. Kingsley: Not this year, but what it will have is a cumulative effect. That is something on which we cannot give you hard facts at this point. For instance, if you look at our brief, next year we have predicted 678 students. The following year it will be even more, into the 700s, and in the fourth year we will be up further.

With the predictions we are looking at, next year, I believe, 23 positions may be affected if you go on our present staffing ratio. This year in our county, because of the Ontario Schools, Intermediate and Senior Divisions guidelines, we are dealing with a lot of things in education. Technical education took something of a beating, as did business education. As I said, that is also related to OSIS in that there are fewer noncompulsory selections for students in grades 9 and 10.

At this point, the schools in some areas are large enough to compensate for the present loss, but once you start getting into the thousands, and also because these programs are so expensive to maintain, far more than setting up a classroom to teach English, that is where you are going to see the effects. As a committee, I think you are going to have to take into consideration.

Mr. Bernier: However, in the first year there have been no major disruptions.

Ms. Kingsley: No, I would not say so.

Mr. Chairman: I want to clarify a figure, if we could. The 600 figure is the actual number by which the Catholic system has grown; it is not students who necessarily would have gone to the public system. That figure seems to be 138 or 160. The rest is just its natural growth, or partially so. As I understand it, that was already predicted anyway. Did you want to clarify something?

Ms. Foster: Yes. In Orillia, where we had a school open, we then had three high schools. If you take 38 students from that number of schools, the effect would be minimal. But as we look down the road and we see all of the years being funded, as the schools grow, what student in his right mind who loves to play basketball or volleyball and take part in extracurricular activities would go to a school of 38 and expect to be on a competitive team or find the kinds of courses in the program that he or she would need?

So right now, no, the effect is not felt. But I do not know how many full programs we are going to have. I do not know how long it will be before they decide they can afford to offer these expensive courses. Are they going to pick up special education, or things like that, immediately? Those children are not going to go, because we offer the programs they need. They will stay with us until the other system does offer them. Then we will see a greater move.

Ms. Kingsley: I will make one other point. This is not dealing with the enhancement of separate school funding. For instance, in the town of Penetanguishene a few years back, a French-language school was opened. There was also, within that town, a mixed secondary school. By that I mean it was a bilingual school. The number of students who transferred over to École Secondaire LeCaron from Penetanguishene Secondary School was 160. The effect that move had on the Penetanguishene Secondary School was that one shop closed and, two years ago, there was fear that the basic program in its entirety would be moved to another community. That may give you something to base your opinion on.

Mr. Chairman: What is the school's population now—150?

Ms. Kingsley: Yes.

Mr. Chairman: So it has not grown at all?

Ms. Kingsley: No.

Mr. Chairman: Thank you very much for your presentation. I think we have now heard from everybody in Simcoe. I am not sure, but if

not, we will hear from them in the next little while. Thank you very much. The committee recessed at 11:38 a.m.

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- Reycraft, D. R. (Middlesex L)
- From the Ontario Catholic Supervisory Officers' Association:**
 - Giroux, B. D., Director of Education, Nipissing District Roman Catholic Separate School Board
 - Regan, K., Vice-President
 - Stephens, J., President
- From the Ontario Secondary School Teachers' Federation, District 27, Simcoe:**
 - Austin, R., Past Chairman
 - Foster, M., Vice-President and Provincial Councillor
 - Kingsley, G., President
 - Sporring, B., Branch President, Eastview Secondary School
 - Doern, B., Member, Canterbury High School Parents' Advisory Committee, Ottawa
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No. S-58

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Tuesday, October 1, 1985
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)
Allen, R. (Hamilton West NDP)
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 1, 1985

The committee resumed at 2:08 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: We will resume the hearings for this afternoon. The first group before us is the Hamilton-Wentworth Roman Catholic Separate School Board. Mr. Sheridan is the chairman. Welcome to the committee. Is it Father Sheridan?

Father Sheridan: Yes.

The Vice-Chairman: They have written "Mr." so I assumed it had to be one of the other two. Welcome to the committee. Would you introduce your colleagues and then proceed?

I should point out that you have a lengthy brief. Proceed in whatever way you want, but it would probably be best if you were to summarize your presentation so we will have a chance to get into some discussion with you.

HAMILTON-WENTWORTH ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Father Sheridan: Fine. Let me introduce the two colleagues who are going to help in the presentation of this brief. On my right is Michael Pett, a trustee of the Hamilton-Wentworth Roman Catholic Separate School Board, and on my left is Patrick Brennan, our director of education. We have other senior members of our administration here who might be of help in answering questions and we have some of our trustees here as well.

I realize the limitations of time and I am going to try to restrict myself for just a few moments to what I guess I could call the interests of our parents and of our students. We are only too well aware that there are other interests involved here, those of teachers and so on, and we realize the significance of those, but I would like to zero in on the position of the parents and of the students.

We in Hamilton-Wentworth have been in the business of high school education for a long time. We date back to the 1860s. I would like to be able to get across to you somehow or other the sense of pride our people have in our high school

system. I think it is something very distinctive. Perhaps, and I have always thought this personally, it is that our Catholic high school system is so interwoven into our community. Perhaps it is because, with the different waves of immigration that have come to the Hamilton area, we have taken the sons and daughters of these immigrants and it is our greatest boast that we have educated them. Look at the professional people, the labour leaders and the politicians. I could go on and on about the products of our system. So my first point is the very great pride our people have.

Second, I want to insist on the fact of how much they want our high schools. They have made enormous financial sacrifices over the course of many years. Let me give you one example. In 1981, which you will remember as a time of severe economic recession, we found that our senior grades were in a simply horrendous financial situation. We were a little over \$5 million in debt.

We did not know how to handle this situation. We went out to our people and explained what the situation was and tried to show them that our schools were in the most serious difficulty. They responded. The three-year campaign has two more months to run. We are approaching very closely the \$5-million mark and by the end of the campaign we confidently expect we are going to reach \$5.5 million. We did this, as I say, at a time of severe economic recession. We did it totally without any corporate support. It was the average people who evidently thought well enough of our system to support it in this way.

It seems to me that after the 1971 election there was a very strong perception around Ontario that the senior grades of our Catholic system would somehow or other fade away. In Hamilton-Wentworth they have not. We have grown from the three schools that existed then to seven schools. In our high schools we educate about 6,600 to 6,800 students.

The retention rate we have is very significant. As far as I know, in Hamilton-Wentworth we have the highest retention rate in Ontario. From the grade 8 class of 1985 to the grade 9 class of September 1985, we have kept 87 per cent of our students.

The retention rate from grade 10 to grade 11 is even more extraordinary. With the fees being as

high as they are and again with severe economic conditions, our retention rate is more than 90 per cent. Our three senior grades have grown. Over the past eight years, the increase in our student enrolment for grades 11, 12 and 13 has been 17 per cent.

When Premier Davis's announcement came, there was naturally great exultation among the Catholics of Hamilton-Wentworth. We felt a sense of relief; we felt a sense of vindication—relief because we hoped that now the severe financial sacrifices would be over; vindication was perhaps more important, because we felt that finally we would be accepted as a public system on an equal level with our neighbours.

I want to zero in on two areas of Hamilton-Wentworth which perhaps indicate the situation we are in. First, I direct your attention to the mountain, where our high school is St. Jean de Brebeuf. Last year, we had a school built according to elementary standards that would hold 469 students. In that school we had 1,056 students. Fortunately, with the co-operation of the Hamilton Board of Education, it has leased to us, as I am sure you know, Southmount Secondary School, where 375 students from Brebeuf go. It has been an enormous relief.

Before that, we had 13 portables on that site. The situation is still not solved. We still have 10 portables on the site with a population of 700 students. But it has been an excellent example of co-operation and all of the indications in the first month of the school year this September have been that the situation is working out very well.

As I am sure you know, we share Southmount with the Georges P. Vanier Ecole Secondaire francophone students who are under the jurisdiction of the Hamilton-Wentworth Roman Catholic Separate School Board.

But more important, I would like to draw your attention to the east end of the city where we have a truly desperate situation. Our high school in the east end of the city is Cardinal Newman. We abut and are coterminous with the Wentworth County Board of Education. We have a school built according to elementary standards in which we have 1,480 students in a building with a ministry capacity of 541. In that school we need between 900 and 1,000 school places.

I must confess that yesterday—you know figures are fine—to get a feel of that school, I went down and asked the principal if he would take me through the school. I really think a person has to see the situation there in order to appreciate it. We have 20 portables on the site. We are almost out to the highway. We have classrooms at the

end of the hall without any ventilation. We have classrooms in which the teacher literally cannot get around to the students. I was especially interested in our chemistry and physics labs which are so inadequate they almost beggar description. We have students seated there who have to open cupboards in order to be able to sit properly. It is almost impossible to take notes.

However, two things have to be recognized. This situation has been known for a long time and yet the parents send their children there. There is something there they want. In that area our retention rate, believe it or not, approaches 100 per cent of our grade 8 feeder schools. It is a happy school. The kids want to be there.

On the other hand, I must admit it is more than somewhat disturbing to know that in the very same area, almost within a stone's throw of us, the Wentworth board has three public collegiates that are occupied to a level of some 60 per cent when we are occupied to a level of well over 200 per cent. At the present time in the three Wentworth schools—Orchard Park Secondary School, Saltfleet High School and Winona High School—there are 1,100 empty student places, according to their own impact statement. By 1989, that will grow to 1,700.

2:20 p.m.

I do not need to tell you or anyone else that these high school facilities have been paid for by the parents of these students, and there seems to be some sort of manifest injustice in this. When I was going through the school yesterday, I must confess that I had in my mind the thought—and maybe I should not say this—am I in a Third World country here in which these students are undergoing—and I can find no other way to describe it—this type of deprivation in their education? Yet, as I say again, our parents want to send their children there and their children are flocking there in large numbers.

Members of the committee, I have tried in the very brief few moments I wanted to take to zero in on the needs of the students and their parents. I know that the very purpose of this committee is to see what it can do to meet these needs. However, I must say in conclusion that our parents have made it very clear to me personally and to every other member of our board that the one thing we do insist on is the continuation of the real Catholic integrity of our schools.

I would like to introduce to you Michael Pett, one of our trustees, who will continue on the brief.

Mr. Pett: The major thrust of my remarks will be to demonstrate the tremendous drawing and

holding power of our Catholic high schools in Hamilton-Wentworth. In our brief I am referring to section IV, pages 12 to 19.

Beginning before Confederation with the Loretto Sisters, then to the opening of St. Mary's Lyceum in 1912 under the separate school board offering a full secondary education, and to the opening of the first of our current high schools, Cathedral Boys Separate School in the 1920s, our board has continued to expand its secondary system. In the 1950s, Cathedral Girls Separate School opened its own school and Bishop Ryan Separate School was also opened. Four more schools were opened in 1970, 1971, 1974 and 1975. The expansion has never kept pace with enrolment, and the last four schools are still surrounded by a village of portables as evidence of our continued steady growth during the last decade.

Table I on page 13 of our brief shows 3,302 grade 9 and grade 10 students and 2,884 grade 11, 12 and 13 students in 1976—although it says only "11-12" in the brief—for a total enrolment of 6,186. That number has grown to 3,155 in grades 9 and 10 and 3,638 in grades 11, 12 and 13, for a total of 6,793 in 1985, or 607 more.

This growth occurred during a period of rapid cost escalation reflected in a large increase in fees charged to the parents: a jump from \$305 in 1976 to \$650 in 1984, a large part of which was earned by our students through part-time jobs.

But fees do not tell of all the financial commitment borne by the Catholic people of Hamilton. Added to the \$5 million Father Sheridan mentioned as a special fund-raising effort there is the very significant year-in-and-year-out financial contribution by the Catholics in the parishes to keep our schools open. The whole Catholic community is committed to the secondary school system.

Our Catholic secondary system in Hamilton is delivered within facilities owned in great part by other institutions. Three schools are owned by the diocese of Hamilton, one is owned by the Ontario government and the remaining three are owned by our board.

Table III on page 14 illustrates that even with these rented facilities we are 2,171 pupil places short and, without the rentals, 5,001 short by ministry standards out of a total enrolment of 6,793.

What have we done or what can we do locally to solve our physical shortfall? Before Mr. Davis's announcement, the then Minister of Education formed the committee to study the secondary school accommodation situation in

Hamilton-Wentworth. The study clearly identified a substantial surplus of secondary school space in our two coterminous boards. Even prior to his announcement, it was obvious to the three boards that they had a public responsibility to make better use of the surplus.

Tables IV and V show a total capacity of 33,849 in our two coterminous boards, excluding junior vocational schools, to handle a total enrolment of 19,862 in 1984-85, leaving a surplus of 13,987. Our need is 5,001, excluding rentals.

The commitment and confidence of our Catholic people and our schools are reflected very clearly in our retention rates from 1976 to 1980. Table VI on page 18 demonstrates that our retention rate of students entering grade 9 through to grade 12 and then grade 13 exceeds the provincial averages in spite of our limited resources and lack of public funding support. In most cases, our retention rate exceeds the rates of our local coterminous board.

Even with a fee structure, you have to agree that our schools' holding powers are quite significant, but the acid test is our retention rate from grade 10 to grade 11, when fees are charged. Table VII on page 19 shows that our retention rate from grade 10 to grade 11 has grown from 76 per cent in 1976 to 95 per cent in 1985. This table further demonstrates the little impact that extension of separate schools will have in our area, since the majority of separate school students are and have been retained in our high schools.

Thank you for your attention. I would now like to introduce our director of education, Mr. Brennan.

Mr. Brennan: I will be referring to chapters V and VI of the brief and I will try to do it as quickly as I can.

As referred to earlier, the holding powers of our schools have been competitive; they are as good as those of any other public or private school system in Ontario. That has taken place, in my opinion, because of the deep attachment, referred to earlier, of our people to these schools.

However, that deep attachment is not irrational. These people have a lot of common sense. They are the working people of Hamilton. They are ambitious for their children. They do not want their children to be in a school system that does not give them what they want. They are obviously satisfied with the school system and its programs. The programs apparently are intensive and extensive enough for them. Otherwise, with their common share of common sense, which

matches that of their fellow Ontarians, they would have done something about it long before now.

That does not mean that they and we have not acknowledged some limitations to our programs. In the area of providing certain technical programs and some of the more esoteric options, we have had a problem, mainly because of the limitations the Ministry of Education regulations placed on us when we commenced to design and build these schools.

Very often and frequently one hears our schools described as élite schools in the exclusive sense. However, we know that is not true. If you come to Hamilton, question the people in the community and identify the people who have come through our school system and so on, you will know we are far from being élite in the exclusive sense. However, we are élite in the important sense, in that we are privileged to serve all the kids who come to us. We are proud to serve them, continue to serve them and have all of them in our schools.

Even children with the most acute disabilities are integrated fully into our elementary and secondary schools. You will find references to that in the chapter under the section on page 23, where you will see the extent of the integration of these students into our schools.

As I note in the brief, not only are our programs known across the province and the country but we have also had international interest in these programs.

It is important to know that we find it possible as a large Catholic school system to co-exist with our neighbouring and coterminous boards and to co-operate to a great extent—to a greater extent, I believe, than exists even between neighbouring public school boards in many parts of this province.

2:30 p.m.

For instance, we came together to form the first industry-education council in Canada. We also have a Co-operative Education Council, which co-ordinates the co-operative education programs of the three boards. Our school board operates a summer school that provides for children from the Wentworth County Board of Education. There is continuous consultation and co-ordination on the issues of continuing education.

Our children participate in joint arts activities with the other boards. Any of you who have been to Hamilton in the summer to see the productions put on by the youth groups in Hamilton Place will have noted that many of our children were

involved in those too. They have also co-operated in science fairs, career days, etc.

There is also interschool swapping of timetables. We have children who, not being able to get an option in one school, will cross the road or go down the road to the other school to get their option and come back again. We have public school kids who have come to our schools to do likewise.

We have joint professional activity days and, as I referred to in the brief, I have extended an invitation to you to attend a PA day operated jointly by all the educational establishments in our area—the public school boards in Hamilton, Halton and Wentworth county, the separate school boards in Hamilton and Halton, McMaster University and Mohawk College. It is a very extensive program.

As probably one of the most mature Catholic school systems in Ontario, we have found no problem whatsoever in co-operating and coexisting with other boards. It would be wrong for us to indicate that we do not have differences of opinion from time to time. We do. Obviously, we must, because from time to time we need to think and function differently from them.

We hear considerable concern expressed around the province by various interest groups about the impact of extension of the separate school system. There are those who feel it would cause colossal disruption in the public school system. I have placed before you an analysis of the retention rates from grade 8 to grade 9 for separate schools in Ontario, commencing in 1974. I could have commenced farther back and it would be even more dramatic.

Starting in 1974, 35 per cent of the grade 8 students graduating from separate schools in Ontario entered grade 9 in the separate schools. In 1983, the rate had risen to 58.5 per cent. To the best of my knowledge, it is more than 60 per cent in 1985. Taking that pattern of retention, which is very linear, and extending it through some statistical analysis, we are shown a pattern which indicates that by 1996, more than 90 per cent of the kids graduating from grade 8 in the separate schools would have been retained in our Catholic high schools.

That pattern was established long before Mr. Davis made his announcement; so it would have carried on if Mr. Davis had not made his announcement. As was indicated to you earlier, our people have the will, if necessary, to keep our operations going, as they have in other countries.

As well, it is my opinion that even if this bill were not passed, our people would still persist

and you would see this pattern of retention in Catholic schools. There are those who are concerned over the effect this bill might have on retention and therefore its related effect on public schools in this province; but there is nothing they can do about it. It is going to happen anyway. One way or the other, this retention is going to take place. In my opinion, it is not an issue.

On the following page you will see the experience in our retention for grade 10. As you can see, it has increased by more than 60 per cent since 1974.

I will refer to one or two other items on the page. First of all, I would like to point to the drop-out rates in 1982-83, which are the most recent rates we have for public schools in Ontario, grades 9 to 12. There were 62,828 who dropped out of public secondary schools in that year. To be fair, there were 20,000 re-entries. I do not know, if you did not have the re-entries, whether you would have a substantially lower drop.

In my opinion, that 62,828 represents far more than will ever be drawn to an extended separate school system. It would seem, therefore, that if the public school systems of this province could improve their retention rates, could attack the malaise, or whatever it is, they would more than compensate for extension of the separate school system.

If I can bring you one step further—by the way, these are the Ministry of Education's own official statistics; they are not mine—in 1983, of the 719,000 students in the age group 14 to 18, only 492,000 were in secondary schools. Where is the other 31.5 per cent? In 1970, the case was better; they were only 28 per cent out. Things are getting worse.

You may think we have a problem that does not compare with that of other jurisdictions. Some of you may have noticed on the back page of the Report on Business insert in the Globe and Mail on the weekend that 94 per cent of the 17-year-olds in Japan are in secondary schools. It is 72 per cent here in Canada.

The worst-case scenario has been used often enough in this committee. To give you the best-case scenario as it relates to the expansion of Catholic secondary schools, I have used the retention rates I generated in the first tables and combined them with the retention rates of public schools. It is most unlikely we will ever reach the 131,000 mark, because it is most unlikely we will have secondary schools in every part of this province. When one remembers we have at least 80,000 kids already in Catholic secondary

schools from grades 9 to 13 in this province, one can see what the separate increment is.

If I may move on to the bill, we have taken the trouble of commenting on pretty well every clause in the bill. It is not my intention to go through them all; I would like to direct your attention to some of the clauses of particular concern to us.

On page 31, in regard to the transfer of teachers, we feel designated teachers should continue to have the right of recall to boards of education. We also feel voluntary arrangements are preferable, but teachers who make the transfer through voluntary arrangements should be given the same rights and privileges as those who are designated.

We think it is remotely possible that supervisory officer staff and senior supervisory staff would be declared redundant purely because of the extension of the separate school system. However, it is quite possible this will happen because of the decline caused by a combination of both the separate school effect and the general decline in enrolment.

We are suggesting these things be handled as they have been up to now. More than 60,000 kids have been lost in the past seven or eight years in the secondary school enrolment decline in this province. Therefore, the same process should take care of that as well through a bumping procedure.

This bumping procedure is important not only because of Bill 30 but for other reasons too. There would have been reason for boards in this province to declare supervisory officers redundant over the next few years, and many of the teachers' agreements would exclude them from having their seniority counted. It is important that you consider including it in the protection provided.

We would like to see teachers who transfer to the separate school system carry their seniority from the board of education and accumulate seniority with us. Then they would have that seniority to use if and when they wished to apply for vacancies generated in the board from which they came.

Although we favour the establishment of a redundancy on a school-year basis, we see the problems with that and we recognize that some parts of staffing liability will need to be transferred to another year using, for example, slip-year planning. In Hamilton, we are discussing that as one of the most effective ways of making our arrangements.

We are also concerned about people who may, in conscience, not want to come to a separate school system. Something will have to be done about that.

The only concern we have about seniority provisions is that probationary teachers seem to be getting a privilege they did not get before and that teachers in our school system would not have. It is quite possible that in a number of places this might have an effect on laying off separate school teachers.

2:40 p.m.

Sections 19, 20 and 21 we very clearly find offensive. As a matter of fact, as I said at the beginning of the commentary here, we find a tone of distrust in this legislation. We are people who have done our best to cater to the needs of non-separate-school supporters when they wished to send their children to our schools. We have recruited, employed and even promoted non-Catholic teachers. Now we find ourselves being deprived of the normal protection that our people require to maintain discipline in a school.

I know you are grappling with the question of creed. Many people refer to it as a denominational thing—Presbyterian, Methodist, Anglican, Catholic and so on. If that is the case, we have no problem with it. However, when you go a little further into it, I want to make it clear that our people expect that when they send their children to our schools, the experiences they will have and the values they will be exposed to and so on will be truly worthy of the decision they made. They do not want to be cheated.

I know section 235 would seem to give us some protection, but you know as well as I do that there may be various interpretations of what it means.

The Vice-Chairman: Let me just interrupt for a second.

Mr. Brennan: I am sorry. I have gone overtime.

The Vice-Chairman: I am following the cue from the regular chairman of this committee. Would you try to summarize very quickly, because you are over a half-hour into your brief and we have not even got into questions yet.

Mr. Brennan: I will skip, then, to the issue of universal access. We have found that there has been an undue emphasis on universal access as access to separate schools only. We feel you should look at the problems of access within public school systems themselves. We also feel you should look at a broader definition.

We believe the principle of universal access is defined as the right of every eligible student in Ontario to a secondary education at public expense. Thus, students should not be excluded from attendance at the local secondary school of which their parents are supporters. If the local school board cannot provide necessary or essential programs in the local school or in one of its adjacent schools, the board responsible for the education of those students should have the obligation to purchase the program from the coterminous board, and the coterminous board should be required to accept the students. We agree with that.

I will stop there. I am sorry for going overtime.

The Vice-Chairman: That is okay. It is a difficult bill on which to keep people within the half-hour limit.

Mr. Allen: I do not want to ask a lot of questions because, as I have pointed out to this committee in the past, Hamilton is in the unusual position of virtually having extension complete, and the circumstances, the social impacts and the characteristics that this has bred in our community are obvious. However, the other committee members might well be interested in asking special questions of this board, which has superintended that development in Hamilton and which provides a mature example of what one might expect in many other urban centres when extension is complete, given observations that have been made by opponents of the bill and so on.

I am delighted to see that the board's presentation is comprehensive, as befitted its whole approach to education in the past, and I will be delighted to look through this and at the details of your recommendations on every part of the bill.

Mr. Epp: I have a short question; I am cognizant of the time. I want a clarification from Mr. Brennan with respect to his comment that the students have the expectation that you have to take all the students but the public schools do not have to take the students.

Mr. Brennan: I am saying that when one hears the issue of access discussed publicly, the onus seems to be placed on separate school boards all the time to be wide open and receptive. What we are pointing out is—

Mr. Epp: But the reason for it is the extension of separate schools. That is why this question has come up here.

Mr. Brennan: But I am saying this committee should be defining access in broader terms, in

terms such as I suggested in here, that a child has the right to a secondary education and his local board has the responsibility of ensuring he gets it.

As I said, we have been very open. Many public school supporters whose children have come to our schools have asked their local boards of education to purchase education from us, and in most cases their boards have refused to purchase education.

Mr. Epp: I am missing something. My experience has been in Kitchener-Waterloo. I thought that if you were in a school board and if someone wanted to attend the public high school there, whichever programs were offered, they were obligated to take those students. You are implying they are not obligated to take those students and they turn them down.

Mr. Brennan: I am sorry. I am not implying that. I am saying every child should have a right of access to a publicly funded secondary education. I realize that at the moment, without the bill being in place, any separate school supporter has a right to have his children attend a public school. I realize that. But in past practice, for instance, even within boards of education, there has not been receptiveness to a student attending anything other than his local school.

Mr. Epp: Are you talking about crossing boundaries?

Mr. Brennan: Yes.

Mr. Epp: If you lived in Waterloo county and if there was a course offered in Wellington county, then Wellington county is not obligated to take the student. Are you suggesting that be opened up now and that boundaries not play any material role in students—

Mr. Brennan: In all fairness, I would say that if the focus is to be on openness on the part of separate schools, it is only fair there should be a broader look at openness on the part of boards of education.

For example, we were referring to the problems we have with accommodation in Hamilton. We have many children who are under the responsibility of the Wentworth Board of Education who are much closer to schools operated by the Hamilton Board of Education but must be bused to the east end of Hamilton to bring some schools up to the 60 per cent occupancy there. This makes it very difficult for us to solve our accommodation problems in that area.

Mr. Epp: You realize what you are arguing for is to have the provincial government completely take over education in the province and

not have any school boards, just open the whole thing as one large educational district across the province and then people would be able to cross boundaries whenever they wanted to and take whatever courses they wanted to.

Mr. Brennan: No, I am not saying that. If you notice in my brief I emphasize—

Mr. Epp: That is the logical extension of it, though.

Mr. Brennan: It may be, but I did not see that. I am suggesting there should be criteria for this. For instance, programs; should a kid be allowed to cross boundaries because he wants—I should not use it derogatorily—basket weaving or some inconsequential credit or is it necessary for him to do so in order to have some very critical credit necessary for him to enter university or community college or to have a proper graduation diploma? That needs to be defined; necessary programs. We should not have it willy-nilly.

I have been a director of education for 18 years. I worked for the Ministry of Education prior to this. I have been hammered at meetings of public school officials over the fact that we were admitting non-separate school students into our schools. I have been literally hammered. My nose has been rubbed in the Scott Act, which specifically says that public money was to be spent only for separate school supporters. Therefore, I find it very interesting to see the turn which is now taking place. It is a sign of progress, I am sure.

Mr. Davis: In your comment on subsection 136o(6), where you were talking about universal accessibility, you talked about the right of a student to have universal access “defined as the right of every eligible student in Ontario to a secondary education at public expense.” If a student in your system desires to go to the public school across the road, will you pay the fees?

Mr. Brennan: Yes, if we do what we did in the past, we would. We have been purchasing education on the elementary levels.

Mr. Davis: That is not the question I asked. I asked, under the extension of funding, will you pay the fees for that student to move across the road to the public school because he wants to go there?

Mr. Brennan: Yes, I think we would. What I am telling you, though, is that one has to watch that one does not become frivolous over this kind of thing. If there is a good reason for somebody wanting to exercise that choice, yes, I feel we should reinforce the parents' choice.

2:50 p.m.

Mr. Davis: You are still qualifying the movement of that student. What I understand you are asking us to do is to open the definition of accessibility so that the student has the right to a secondary education. If the individual student attending your school desires to go across the road because the cheerleaders are better looking, would you pay for that student to go across the road for that program?

Mr. Brennan: At the moment I would not.

Mr. Davis: You would not?

Mr. Brennan: No, not for that frivolous reason.

Mr. Davis: Then you are restricting the student's movements.

Mr. Brennan: I qualified my remark earlier. If you will read my text, I indicated that you have to be practical. Those of us who run school systems realize that you cannot allow people to bat back and forth between the school systems for every little frivolous reason; for example, the teacher reprimanded them this morning for the colour of their socks so they want to go down the road. Public and separate school boards have worked together for a long time at the elementary level and we have worked together to ensure that people do not carry on like that for frivolous reasons. I see no reason we cannot do it at the secondary level either.

Mr. Davis: If the student is 18, does he have the right to go across to that school when you are paying the full fees?

Mr. Brennan: Yes. In my opinion, he would.

Mr. Davis: Would you pay the full fees if it were a technical program?

Mr. Brennan: I would say we probably would, yes. I would favour that personally.

Mr. Davis: What if the public board says that the fees are \$5,000, the actual cost, rather than what the ministry pays?

Mr. Brennan: No. I would pay whatever it was we had to pay, as the bill says. The bill says we would pay whatever was in the regulations or the actual cost, whichever was less.

Mr. Davis: But as a director you know that the operation of the particular programs that the Catholic student and the Catholic boards would be purchasing from the public boards are their high-cost programs, the technical programs. Do you not think it is just, fair and equitable that if the cost of the program is \$5,000, which has been a suggested figure, and the ministry grant is something around \$4,000, you as purchaser of

that service should be paying \$5,000 rather than \$4,000?

Mr. Brennan: The principle of fairness has to apply here. I do not think a student who is attending our school system and who has a specific program need should expect that we should spend more on him than we would spend on other students in our school system. In fairness, he should not expect that.

It is very difficult to deal with this within one succinct statement. Take even your assumption, for instance, that these are in fact high-cost programs; in many of these programs the cost depends on the way you are operating them. In many cases, the choice of operating standards and practices by boards of education are the reasons these programs costs are so high.

The average pupil-teacher ratio in the province in the secondary schools is about 15 to one. Does that mean every class has 15 students in it? Not at all. It means that the average teacher is teaching about two thirds of the time. Therefore, you have classes with very high enrolments and so on. Similarly, with technical programs, some of them are definitely expensive; others are not. The costs for all programs are averaged out.

I am not sure you have a specific grant now for these programs. I do not think there is a specific grant from the Ministry of Education as there used to be in the past for these kinds of programs. It is all lumped into your normal level of expenditure for grants, your ceiling for grant purposes.

The Vice-Chairman: I want to thank the group for coming forward. I am sure we could have spent quite a bit more time with you. On the last topic, I would have loved to have jumped in and asked a few questions, but it will not be the last time the issue of purchasing of education from public boards and full-cost recovery will be coming up.

Mr. Brennan: We indicated in our brief our support for that clause. We wish to support that concept.

The Vice-Chairman: The next presentation is from the Durham Board of Education, brief 761.

Mr. Chairman: Welcome. Please introduce yourselves.

DURHAM BOARD OF EDUCATION

Mrs. Lafarga: Thank you, Mr. Chairman, I am very glad to see that you arrived on time for our presentation this afternoon.

I am also very privileged to present the views of the Durham Board of Education to the

committee on the extension of funding through Bill 30.

I would like to introduce our director of education, B. W. Mather. Contrary to belief, he did not shoot himself in the foot; he is suffering from an accident. It is the strength of his conviction on this matter that brings him here this afternoon.

To locate Durham for you, it is immediately to the east of Metro. I am not following the brief; these are my own comments. It encompasses the lakeshore communities of Pickering, Ajax, Whitby and Oshawa. It extends north for some 40 miles through Uxbridge and Scugog townships to Brock township on the shores of Lake Simcoe. It is a mixed urban-rural region of dynamic growth. The Durham board is the seventh-largest school board in Ontario and a member of the Association of Large School Boards in Ontario.

As I mentioned, it continues to grow. We are in the rare position of never having had to terminate a teacher as redundant. We have a very outstanding and vibrant teaching staff.

We have a student population of 48,000; 17,500 of them in our 18 secondary schools. Most of them are close to capacity. We enjoy a good relationship with our coterminous separate school board. We have a joint agreement on our film library. We share bus routes in the north of the region. They purchase time on our mainframe computer. We share courier service and some professional development of our staff. That board has two secondary schools in the region.

One might ask why we would appear before the committee today.

Our first reason is that as trustees we feel we have a responsibility to preserve the excellent system of public education that exists in this province today, a system which, quite frankly, we feel has been threatened by the extension of funding to the Roman Catholic separate schools and the potential extension of funding to other private schools.

Second, as individual trustees and at our board administration office we have received many phone calls from Durham taxpayers opposed to the extension of funding and asking us what we plan to do to oppose this new initiative. It is not only the board of trustees that I represent here today but also the taxpayers of the region who, I must say, are frustrated by, alienated from and opposed to this action.

As early as September 1984, the Durham Board of Education passed the following resolution:

"That a letter be sent to Premier Wm. Davis expressing the Durham Board of Education's opposition to the extension of funding to the separate schools and seeking answers to the following questions:

"(a) Will adequate funding be provided for both systems to maintain the quality programs and services now available in the public boards of Ontario? (b) Will the principle of universal access be enforced in both systems? (c) Will non-Roman Catholic staff have equal opportunities in the separate schools? (d) Will the extension of funding to separate boards affect the composition of trustee representation on public school boards? (e) Will public funding be extended to other denominational and private schools?"

When we met in September 1984 with three of our regional members of the provincial parliament—Mr. Cureatz, Mr. Stevenson and Mr. Breaugh—and a representative of Mr. Ashe's office, we expressed our opposition on this matter to them. We still believe that over a year later these questions remain largely unanswered, yet implementation has proceeded.

The Durham Board of Education has also publicly supported the constitutional challenge to the Ontario Court of Appeal. We do not believe the government should have proceeded with implementation while this matter was before the court. We assert that the government has no statutory authority to proceed with interim funding.

3 p.m.

We are both dismayed and saddened by the disregard shown on this issue for the normal political process. Democracy is a fragile political concept. It is very much taken for granted in Canada, yet it is not the model of government for the majority of people in the world. We tend to think of democracy as the right to vote but it is really far more complex. Democracy is also the right or the responsibility to be informed on issues before one votes.

How has this been possible when the three parties were ill-prepared to discuss this issue during the last provincial election campaign? I would suggest that without public debate, members of the public, members of the Legislature, and even many trustees are only gradually understanding the full implications of extending funding to the Roman Catholic separate schools.

I wonder when the public has the right to be informed. When they receive the bill for this initiative, voters can only develop more cynicism and scepticism about government. They will

withdraw more from the process and, as elected representatives, I believe we have a responsibility to see that this does not happen if we truly believe in democracy and not just the right to vote.

In August of this year, the Durham Board of Education passed a resolution asking municipalities in our region and throughout the province to place the issue as a referendum question in the upcoming municipal elections. Municipalities have refused to debate the issue because of its divisive nature.

I would like to make a comment about the social impact of this initiative in Durham, a multicultural community. The Oshawa Folk Arts Council was the leader, both provincially and nationally, in promoting the concept of multiculturalism. Yet since Mr. Davis's announcement there are real and unfortunate signs of divisiveness.

Relationships with our separate school trustees have become strained. Many secondary school guidance people met with mixed receptions or were not invited into the Roman Catholic elementary schools when they attempted to speak with the grade 8 students, and people have questioned the right of Roman Catholic participants to use public schools for community-use programs.

From the financial point of view we have grave misgivings about duplicating secondary education throughout the province. Cost estimates have varied considerably. The only thing we can say with certainty is that Mr. Davis's pronouncement of \$40 million was misleading.

In Durham, the provincial share of education costs has declined from 64 per cent in 1973 to 48 per cent in 1985. I can assure the committee that Durham does not have that in its system. We are the second lowest spending board in the province. Cuts in grants, as a result of the extension, will very quickly be translated into program cuts and reduce the service to our students.

Where will the additional funds come from? Increased taxation provincially or locally through municipal taxes? I really doubt that the provincial government can sustain the former in the present economic climate. I can assure you that taxpayers locally have reached the limit with education taxes.

The matter of funding is of grave concern to Durham from another aspect. We are deeply concerned about the inadequacy of ministry capital grants. This year, over the summer, we added 46 portables to our schools for a total of 196 in our system. We have schools with 12, 10

and nine portables. In some schools we do not have room for more portables. Gymnasiums, libraries and washroom facilities are strained. We desperately need funding for two to three schools a year.

In December 1984, we requested and were granted a meeting with Ministry of Education officials to discuss this matter. We were told that no funding was available. I must admit we had been building one school a year, but it is inadequate for our needs. You can then imagine our dismay at the recent announcement of \$34 million to duplicate a system already underfunded.

Our coterminous separate board, in its submission to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, has requested three new secondary schools, one a year for three years. Of course, in a growing region, this is in excess of what they will need in the elementary panel.

Again I ask where the funds will come from and who will be shortchanged in this capital program. We are a very financially prudent board. We have not debentured since the early 1970s; I believe we were a leader in that. New construction, major upgradings and renovations are done on a pay-as-you-go basis. We are dismayed to see our government embarking on this major expansion when the province and the country face a crisis with deficits. We all have to remind ourselves that "no" is still a legitimate political answer.

On page 7 of the brief I have included assessment information for Durham. Our staff estimates that the loss of the separate school assessment will result in a three per cent increase in mill rates in Durham. However, the impact will be more severe in the rural municipalities. We are a board that is over ceiling on secondary, and that will reduce our ability to finance expenditures in excess of ceilings.

I would like to deal very briefly with only five aspects of the bill. We support the position of the Association of Large School Boards in Ontario and, in the interests of not being repetitive, I have limited it to five.

In the area of staffing, we believe the hiring of displaced staff in Durham can be managed in the short term. We are opposed, however, to the discriminatory practices in hiring and promotion that Bill 30 allows. As well, as a board committed to affirmative action, we must state our concern for the potential impact of Bill 30 on women, who constitute up to 56 per cent of our

teachers with less than five years of experience. We believe too that elementary teachers will potentially be displaced as a result of the extension of funding and that the legislation must not ignore this potential.

With regard to student access—I am referring to section 136o—as a precondition to public funding, a school system must provide universal access to the public. It is unacceptable to deny a student access on the basis of accommodation, as is permissible under subsection 136o(2). As currently written, this clause can be administered to permit discrimination against non-Catholics.

In the area of program, if funded, Roman Catholic separate schools should not be permitted to function only as academic schools, leaving the public schools to serve the hard-to-serve and expensive-to-serve students and programs. We realize this is a double-edged sword, as duplication of programs is clearly not in the best interests of public education. However, if separate boards enter into purchase-of-service agreements under section 136d, public boards must be able to charge the actual program costs rather than the fees calculated according to the regulations. This is something we are waiting for resolution of in our board now, and I am sure the director is prepared to comment about it.

As far as the religious exemption is concerned, subsection 136o(6) allows for an exemption from religious education in the Roman Catholic separate schools in very limited circumstances. If Roman Catholic separate schools are to be fully funded, all students, regardless of religion, religious or other reasons for attending, should be eligible for exemption if they or their parents or guardians so choose.

3:10 p.m.

Finally, I would like to comment on the powers of the planning and implementation commission. Under section 136r, the commission has excessive powers to rule on what is in the best interests of public education. It has the power to establish criteria under subsection 136s(4), to act as mediator under subsection 136w(2), to act as fact-finder under section 136w and to act as arbitrator under section 136x. What recourse does a public school board have against the decisions of the commission?

We are not bigoted, and we are not ignorant people. We come before you today to speak against a piece of legislation that will enshrine one particular denomination as a state church. We are proud of the public education system on which the government appears to have turned its back. We believe in Dr. Stephenson's 1983

statement that in a multicultural, multiracial and multilingual society, a shared educational experience is important in fostering a common culture. We therefore recommend that the standing committee on social development recommend to the government that it withdraw Bill 30 and initiate a process of wide public education and consultation through the establishment of a royal commission.

I should have identified a number of trustees and ratepayers, and I am very pleased to see two of our members, Mr. Cureatz and Mr. Stevenson.

Mr. Chairman: They are both here, yes. Thank you for your comments.

Mr. Reyecraft: I would like to ask about the statement at the top of page 10 that the comparison with the education system in Saskatchewan is not valid because Ontario is more populous and more pluralistic. Can you explain what is behind that statement?

Mrs. Lafarga: I believe Ontario is more pluralistic. We have gone in the direction of a very multicultural community in Ontario, and that is what that statement reflects. I believe that took place in Saskatchewan in 1964, and we cannot compare Canada in 1964 with it in 1985. The communities have changed quite radically in that time.

Mr. Reyecraft: Is it an argument against the implementation of the fully funded separate system or its existence? There is a difference.

Mrs. Lafarga: We need to have one common system that is a melting pot or a common experience for all students.

Mr. Reyecraft: That takes us back to the basic philosophical argument of the melting pot versus the mosaic, and there is not much point in entering into that at this stage.

Mr. Chairman: I hope not. I will give out copies of The Vertical Mosaic to all committee members if they would like it and we could have the debate again.

Mr. Reyecraft: We have sufficient reading material at present.

Mrs. Lafarga: I am sure you probably will have it a number of times before you are finished.

Mr. Jackson: I could not help but note in the brief the reference to the lowest per pupil cost in the province. I am sure that had to do with Mr. Mather's early years as superintendent of curriculum with the Halton board. They run tight ships in both locations.

Mr. Chairman: It is amazing how Halton has had this impact on the rest of the province, is it not, Mr. Jackson?

Mr. Jackson: Yes. They are everywhere.

I want to talk about the current situation in the Durham board. How many students who have transferred have been identified, and how many teachers have been displaced?

Mr. Mather: We are awaiting the analysis of the figures that were completed yesterday, September 30, for the September reports. However, I would have to say that the impact on our system this September was considerably less than we had predicted, and we had not predicted a great one.

In both the separate school implementation plan and our impact study, we had agreed there probably would be a loss of about 300 students. I am sure members of the committee realize that at the time we were forced to make those projections, we had a number of unanswered questions. Later in the spring, it was obvious to us, in estimating, that we would lose about 300. We had been far higher in our estimate, and we reduced that estimate later in the year.

As it has turned out, our secondary school enrolment is up over projections this September, and I understand—I have not confirmed it—at least one of the two separate schools is lower than has been projected. The impact in terms of student loss was very small.

Last spring, the commission was holding up the separate school board from hiring and we reached an agreement with it, because early in May it was impossible for us to clearly identify specific teachers who had been displaced because of loss of students. It was obvious that we potentially had a couple of redundant teachers, but they were in the area of technical studies in particular and we could hardly blame that on the separate school system since it did not offer the programs.

We made an agreement with the separate school board whereby it would advertise its positions in our schools for a week. Four of our teachers who were Roman Catholics voluntarily applied for positions in the separate school and were granted them. That has been the only teacher movement this year.

Mr. Jackson: Is what you are saying that a major shift in enrolment has not been noticed and that the verdict is not in with respect to whether there was a net change?

Mr. Mather: No. We have no way of knowing at the moment whether the actual figures are a result of a smaller number of

students switching systems or of a larger increase of population in our district. As the chairman pointed out, we are a rapidly growing district, and we do not know those figures firmly yet.

Mrs. Lafarga: It is very difficult for us to assess the grade 8 students who do not come into our system. We can work on past numbers or percentages. It is very difficult to assess the number of grade 10 students who do not transfer because of the extension, because again it can be given as other reasons. It is quite difficult in an area where you have growth in both the systems.

Mr. Jackson: I will leave it at that.

Mrs. Lafarga: I just want to add one item on the staffing. There was an agreement about the salaries, but I believe the agreement on the time and gratuities and other benefits has to be negotiated.

Mr. Jackson: The same as Halton?

Mrs. Lafarga: Yes. I just wanted to point out that it is not all smooth sailing.

Mr. Jackson: I like parallel boards.

Mr. Chairman: A mere trifle, I am sure. No problem.

Mrs. Lafarga: Time will tell.

Mr. Davis: I want to ask Mr. Mather whether the ministry grants cover the costs of operating the technical programs.

Mr. Mather: I do not believe they do. I agree with my colleague from the earlier presentation that they do not. There is an overall grant, and that happens to be a high-cost program.

We were here at the committee for an earlier presentation by the city of York board. They seemed to have done some very interesting analyses in terms of calculating very precisely the cost of a technical credit. At the moment, quite frankly, we do not have the computer sophistication as far as programs for determining that are concerned.

We look at their figures, and we think they are probably relatively realistic, but at the moment we are frustrated. For example, in terms of determining fees for students who might come into our system from the coterminous board, we do not feel the fee that would be charged according to the regulations would come anywhere near meeting the actual cost of those programs, which is very high.

Mrs. Lafarga: We do have some students attending one of our secondary schools this year to take industrial arts. We had worked out a cost formula, but it seems that once the new regulations were announced with the grants,

there was some problem. We cannot charge that. They are not resident students for us.

It is a purchase of service, and yet there is some problem with sorting out exactly what we are going to be able to charge those students. We are waiting for a ruling on that now, but we do have approximately 70 students. The separate high school in Oshawa does not have facilities beyond the academic.

Mr. Davis: Mr. Chairman, could they convey that information to this committee once they receive it? It is imperative, if there are going to be fees for services, that they are just and equitable. I know the ministry is supposed to bring us some information, but this would certainly help us in our deliberations.

Mr. Mather: We would be very happy to.

Mr. Chairman: If you would mail that to me, I will make sure all members have access to it.

If there are no other questions, thank you both very much for your presentation. We appreciate it.

3:20 p.m.

Our next presenters are the Ontario Teachers' Federation, round 2. Welcome back; it has been a while since we saw you. You were our first delegation back in July and you have asked for more time. We are pleased to have you back.

We have your deputation 5A now. I do not know how you want to take us through it. It might take all of the half hour to go through it line by line, and that would not leave any time for follow-up questions. I will leave it up to you how you take us through, because I think members would like to get a chance to ask you some questions after hearing the revised position you have taken.

ONTARIO TEACHERS' FEDERATION

Mr. Matte: We will be pleased to do that. May I first introduce the persons who are sitting with me at the table. Doug McAndless is the first vice-president of the Ontario Teachers' Federation, and he is from London. Kevin Kennedy is the second vice-president of the federation, and he is from North Bay. Malcolm Buchanan is our third vice-president, and he is from Hamilton. My name is Guy Matte, and I am from Ottawa.

We welcome this opportunity to come before you a second time. We were the first group, as you noted, to make our presentation. We requested this time with you again because we had not had time at the beginning to look in more detail at some of the sections of the bill, and we would now like to make some recommendations

to you and propose some wording that might be helpful in your discussions.

On page 2 we deal with the powers and duties of school boards. The Ontario Teachers' Federation believes that subsection 136f(2), which deals with the entitlement of a Roman Catholic school board to share in the general legislative grants for secondary school programs, should be subject to the provisions of an additional subsection. The Roman Catholic school board should be required to offer a full range of programs. We define a full range of programs by what you see in the middle of page 2 as those programs offered to students directly or through the purchase of service so that no students are deprived of the opportunity to select secondary school courses from the full range of secondary school programs, which is what you will see on page 3 in a legislative wording.

We would like to address section 136h, which deals with the French-language schools that could be transferred en bloc to the separate school system. The federation believes that at least one year's notice should be given subsequent to approval. The full year's notice would permit the transfer of operations from the public school board to the Roman Catholic school board to take place in a realistic and logical manner, ensuring that the ratepayers have the opportunity to provide input into the transfer of operations and permit the teachers an opportunity to seek alternative employment.

On the idea of membership on public school boards, we were very pleased to hear the minister's statement about the term of office of the representatives of the separate school ratepayers on public boards of education. We wish that this intention be clearly included in the proposed legislation.

On the payment of school taxes, section 136j, we would like to make the recommendation that the legislation permit the splitting of the payment of elementary and secondary school taxes. This measure would guarantee the present rights of Roman Catholic ratepayers to send their children to the separate elementary schools and the public secondary school system if they wished to do so.

On the deployment of staff, section 136l, the federation wishes to reiterate the position stated in its first submission. We believe very strongly that designation of personnel by person rather than by position adversely affects teachers in the public and separate school systems. Our position is detailed in the six subsections. I will not go through them, because they have been quite widely publicized, but I think this is one of the

main areas in which the bill should be changed to make it much easier in the changeover from the public to the separate system if these things have to be done.

The federation wishes to reiterate its previous position regarding clauses 136l(4)(a) and (b) by stressing that teachers should be dealt with in a separate subsection. In subsection 3 we are talking about two different groups of people; subsection 4 has them mixed up. We are asking that consistency be assured under clause 136l(4)(b).

Subsection 136l(5) needs a more flexible approach to allow for a minimum guarantee of 10 years; and a continued hiring freeze until no position is designated over a consecutive three-year period in which no measurable impact is caused by the extension of the separate school system: 10 years and then three years of no measurable impact.

On re-examining subsections 136l(6) and (7), the federation raises the following four questions:

1. What will the commission on planning and implementation and/or the school boards do with the provincial lists of teachers' names and positions designated? This area has not been clarified. We do not know what they are going to do with that.

2. What are the obligations of school boards to the teachers so designated on those provincial lists referred to in section 136l?

3. What protection is there for a teacher who, according to his or her conscience, cannot accept a position within the separate school board?

4. What are the ramifications where there is more than one coterminous public school board and one separate school board should a disproportionate number of designated public school staff be relocated in the coterminous separate school board?

On the transfer of sick-leave credits, we wish to emphasize our previous position and submit wording that could be included in the legislation to clarify this position. We would replace subsections 136l(12) to (18), recognizing the full accrued seniority, retirement gratuity right and the protection thereof, and the full recognition of accrued sick-leave credits.

We are particularly disturbed by subsection 18, as in our minds it circumvents the collective bargaining process. It deals with boards negotiating with boards. That would supersede the previous sections.

We believe the only exception that is justifiable and appropriate would be where the branch

affiliates involved have ratified the agreement in accordance with the provisions found in the School Boards and Teachers Collective Negotiations Act.

The next section is extremely important. I am sure you have heard about it many times. This federation is of one voice on this. The federation believes section 136l should include an additional subsection and we submit one for your consideration. The wording is there. The additional subsection is meant to protect teachers who volunteer to transfer from a public school board to a Roman Catholic school board in the same manner as those referred to in the legislation as "designated persons."

Many of our groups have presented statistics to you that suggest women constitute the majority of secondary school teachers with less than five years' seniority. The government of Ontario, with all-party support, has stated there is a need for affirmative action to improve opportunities for women at all levels of the school system.

To honour its affirmative action commitments, the government of Ontario should conduct an analysis of the impact on female secondary school teachers, with particular reference to their presence in the public and separate systems and their opportunities for advancement. The federation believes additional money should be made available to allow appropriate role models in both public and Roman Catholic secondary schools.

3:30 p.m.

The extension of funding to Roman Catholic secondary schools, declining enrolments, and the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines have managed to create significant dislocations among Ontario teachers. While the primary goal of a pension plan must remain the provision of retirement benefits, a plan should be flexible enough to address the needs of the work force it serves. In exceptional circumstances, such as the one facing Ontario education, the pension plan should be utilized to minimize dislocation and to provide additional flexibility in the management of the situation.

In this regard, the federation proposes that the Teachers' Superannuation Act be amended so that reduction factors for the early retirement of teachers aged 55 and over be waived until 1995.

The Teachers' Superannuation Act of 1983 should be further amended to permit a school board or designated employer to make contributions on behalf of a displaced teacher and on behalf of the government of Ontario and the

teachers' superannuation fund, based on the teacher's salary at the time of cessation of employment, from the time of cessation until the teacher is eligible to receive a retirement allowance. A similar provision now exists in the Public Service Superannuation Act.

In the case of staff dispute resolution in section 136m, there is a need for a restructuring to allow for the establishment of a panel of arbitrators who would have the authority to make immediate decisions binding on all parties. There is a need for the staff dispute resolution to be handled in an expeditious manner. The federation doubts the proposed legislation would enable the process to be handled quickly for the benefit of all concerned. We have thus provided you with wording that would suggest an additional subsection to deal with this matter and refer to the Ontario Labour Relations Act section 45.

On the topic of access of students to the Roman Catholic secondary schools or secondary schools operated by the public school board, the federation takes the position there has never been a restriction on students attending the public schools of the province and this is not the appropriate time to place restrictions on them. The legislation must ensure there is open access for guidance counsellors from the public and Roman Catholic secondary schools to visit and provide information on programs available to all students who may wish to attend.

We believe section 136o needs to be amended to ensure that both non-Roman Catholic pupils and Roman Catholic pupils be exempted from religious studies if they are enrolled in a program that is not otherwise available in a public school board; or if it is impractical by reasons of distance or terrain, or physical, mental or multihandicaps, for the pupils to attend a secondary school operated by a public board.

The following subsections have been amended to parallel those in subsection 6.

Finally, the federation views with seriousness the role and responsibilities mandated to the planning and implementation commission. First, OTF strongly urges the expansion of the mandate of the commission to include jurisdiction to elementary public schools in the province. The commission's mandate must cause it to examine the effects of the extended Roman Catholic secondary schools on elementary public schools.

We believe the commission's report to the minister should be made to the Legislature through the minister in a similar manner as is contained in the reporting procedures found in

the School Boards and Teachers Collective Negotiations Act.

The federation believes the Legislature should set the rules for the commission and determine if the parties involved are abiding by the rules.

Third, the legislation describes the commission as the body which looks at disputes, becomes a mediator, fact-finder and arbitrator. We believe a body other than the commission should review whether or not the mandate of the commission is being fulfilled.

The fourth recommendation about the commission is contained on page 16, in the middle of the page. In the subsection that now states that the commission shall prepare and issue guidelines, we would like to add at the end, "All parties as defined under the School Boards and Teachers Collective Negotiations Act retain the right to negotiate the method of application of the guidelines."

Our fifth recommendation related to the commission is that the OTF believes a subsection should be added to read, "The commission shall consult with the Ontario Teachers' Federation in preparing modified guidelines." As you remember well, former Premier Davis stated this on June 12, 1984, and we believe very strongly this statement should be part of the legislation. Something we found lacking in the last year is a recommendation to add a new subsection 5, "All documents submitted to the commission should be made public."

This is the position that is taken by the 105,000 members of the Ontario Teacher's Federation and its five affiliates. It has the support of the affiliates; this is what this common voice of the teachers believes, which we respectfully submit it to you. We are prepared at this time to answer questions, if there are any.

Mr. Chairman: Thank you, Mr. Matte, for the presentation, which gets us into a fair amount of more detail than we had the first time around. It has responded to a number of things that were raised with us around the province and which we have been grappling with. Some of the wording will be very useful to us if and when we get to clause-by-clause consideration, and help us focus our attention.

One of the last points you made was the question of the OTF being consulted by the commission on guidelines. Do your various affiliates agree that the OTF should be the body that does that, or will we be getting the same request for an amendment from the Ontario Secondary School Teachers' Federation, etc?

Mr. Matte: This is the position the federation has taken and it is approved by the executive of the federation, which comprises representatives of all the affiliates. You will not be receiving a request from any of the affiliates asking that their names be added to this clause.

In the past, it has been the job and the mandate of the federation to speak to the commission on behalf of teachers in such a mandated way. This does not preclude the fact that some of our affiliates consult with the commission about things that are of particular interest to them. The francophone affiliate has done that, with permission, and I am sure the other members have done that too.

Mr. Chairman: It is the legislated mandate that has—

Mr. Matte: No, this is the position of the federation and its affiliates that it should be the federation which is the body in charge of that.

Mr. Chairman: Do I understand the section you have added to subsection 136s(5) on page 16, essentially by having all the parties within the negotiations act being able to negotiate the method of application of the guidelines, is that then becoming a strike possibility around the interpretation of the guidelines?

3:40 p.m.

Mr. Matte: I would not be able to tell you at this time whether or not this would be part of a strike that would happen through one of our branch affiliates in the local district. What we are saying is we should have the right to negotiate the method of application. The proposed legislation seems to be removing from the domain of collective bargaining some areas that in the past have been within the purview of collective negotiation. I am not going to say whether this will be a strike issue or not, but we would like to see that the method of application of the guidelines remains within the purview of the negotiating agreement at the local level.

Mr. Chairman: Is that one of the reasons we see you recommending these as guidelines rather than as regulations that would be part of this act? This would be a tighter thing than guidelines. You would like to have that local capacity to negotiate the application—

Mr. Matte: That is something that was not considered before, but if you are saying that instead of giving the commission the power to establish guidelines these guidelines will be done through regulations, then you are changing the body that has the right to make those regulations—one being the Lieutenant Governor in Council—

and there is no negotiation between the teachers and those who make the regulations. At that time, as at any other time when there are new regulations affecting teachers, we would appreciate being part of the decision-making process of the government.

As to whether we would prefer it be done by regulations or through guidelines, if the regulations were appropriate we would prefer to see it done through regulations because they would be enforceable. Guidelines are just guidelines, and some boards might want to follow them while others might not, which is why we are requesting that if they are to be guidelines they be part of the negotiation process.

Mr. Chairman: As we went around the province a number of your affiliates have suggested the notion of regulation, and that takes away the capacity to negotiate. This is something I had not thought about until I saw this suggestion you are making here, to have guidelines but to have the capacity to use them for negotiation. There is a tradeoff there, and I just wanted to see if that had been part of your discussions or not.

Questions by the members?

Mr. Allen: I am glad to see the Ontario Teachers' Federation again, of course. No doubt we will have other occasions to meet on aspects of Bill 30 and repercussions thereon.

Could I just follow that last line of questioning for a moment to wonder whether at this time, when the commission is sending out new guidelines to boards for the phasing-in of the second round of this operation, you have attempted to make any representation to the commission about your concerns, about the way it was done last time, improvements, proposals that would expedite the whole process?

Mr. Matte: The channel of communication between the federation and the commission is very good. This does not mean to say that the commission has not heard our concern and was never willing to do so. It has heard our concerns and has always had its doors open to us to have our representations made. There is no problem there.

Mr. Allen: If I might say in an aside, I do not want to take the time of this deputation to get into a discussion in the committee on it, but I wonder if this committee might have an opportunity to sit down with the commission and review the new guidelines that are going out for the second round for the implementation of grade 12 and to interchange with them on our reflections on those guidelines. Perhaps we could have a discussion

about that in this committee at a convenient moment.

Mr. Chairman: I am in the committee's hands as far as that goes, but it does seem to me the guidelines are just about ready and it might be a very useful thing, once we are back and the House is in session, to get the commission before us to go through the guidelines with us. I am sure they would appreciate our comments; not that we will be holding up the process of these guidelines going out at this stage, but it would be important for us to see what they look like, assuming we are going to be looking at regulations as an alternative. Yes, if the committee would like, we could approach the commission on that basis.

Do I have any dissent? Okay, we will proceed.

Mr. Allen: With respect to the comments on section 136j, permitting parents to split taxation: are you referring there to allowing movement back and forth from the assessment panels or to splitting within a family, between husband and wife?

Mr. Matte: In that section we have not gone that far into the detail of what the proposal should be and all the moot differentiations that could be done. What we are seeing is more in the terms of what is happening now, that a separate school supporter is sending his taxes at the elementary level to the separate school, and they are sent to the public schools at the secondary level.

The proposed legislation would require you to send your secondary school taxes as one block to the separate schools and the other one to the public schools, and even if as a separate school supporter you wanted to send your child to the public school, this legislation seems to say you do not have the right to do so; you can do it if the director of education certifies that there is space and if they want you to go there.

We believe this takes away some of the rights that are now enjoyed by separate school supporters, and I must admit that it also touches very much the francophones in the province. Public schools at the secondary level might remain in some areas where many students will be in the separate schools at the elementary level. How do you go to the other side? You do not have the right. You have to buy services.

We feel that by splitting taxes to panels, not through husbands and wives but to panels, in the same way that the public schools are doing now, elementary and secondary, you do entitle pupils to go to the public secondary schools without having to ask permission.

Mr. Allen: Would the same effect be accomplished by a policy of open access to the separate schools?

Mr. Matte: If you permit a public school taxpayer to pay his or her taxes to the separate school board you will have the same effect, but I do not know whether this committee or this legislation wants to go that way.

Mr. Allen: I guess I am really asking you in reverse. If the access policy is open but you leave the payment of fees across the boards as it is in the legislation, does that meet the objection you are trying to overcome? In that case a family could have a youngster going to an elementary school in the separate system, in which they are appropriately assessed and taxpayers in that area, but send their older child to the public secondary school, the payment of fee automatically taking place without any questions asked.

Mr. Matte: Is that without any questions asked?

Mr. Allen: Yes, that is what open access would imply.

Mr. Matte: We would like the rights that are now enjoyed to be maintained, so that if you are a separate school taxpayer who wishes to send a student to the public board at the secondary level, there is no question of asking permission, whether there is space, but that it is a right to send the student there. When the kids come to the door, whether there is space or not, space must be made. Whatever medium or way you find to make sure that this right remains would find us in agreement with you.

Mr. Allen: There is a question of another right that is currently there, and that is of the Catholic system to be governed by Catholic parents and Catholic ratepayers. The moment you move into splitting taxes you do move into another area of concern in the bill that has to do with governance as distinct from access rights.

I gather that the federation does not have a concern about that, and I would like to ask Mr. Kennedy whether the Ontario English Catholic Teachers' Association has a problem in that respect or whether there is a composed mind in the federation on this question.

Mr. Kennedy: It is difficult to give a precise answer at the moment. This has appeared in recent briefs more than it did earlier in the hearings. I think OECA will have a problem when we get around to discussing this in detail. I do not believe it was covered in our recent brief to you; it would have been if it had been so prominent at the time. That is the best answer I can give you now.

Mr. Allen: I want to remind you that we have been looking at the early retirement question and

we have tried to access some further information from the ministry beyond an earlier, very brief memo we got on this subject.

While we as a committee have not determined this, many of us are hoping we will have an opportunity to have your specialists on this subject come and sit down alongside others from the ministry to help us work through all the difficult questions and the refined complexities of this issue so we can get our heads around it. I hope you will be able to do that with us at an appropriate time.

Mr. Matte: We will be willing to meet with you at any time it suits you to discuss these procedures to make sure they conform to what we need on that issue.

3:50 p.m.

Mr. Offer: With respect to your proposal on page 14 about exemption from religious study, would you expand on the change you made to subsection 136o(6), where the word "pupil" is used as opposed to "pupil who is not a Roman Catholic"?

Mr. Matte: The legislation says that if you are a non-Roman Catholic pupil who wants to go to a separate school by reason of program or distance, you have the right to be exempted. Those are the reasons in the legislation now. We are saying that not only will non-Roman Catholics be in that situation, but that there could also be Catholic pupils in that situation, children who are going there not because it is a Roman Catholic school but because it offers a program that is necessary for their education or because it is impractical to go elsewhere for other reasons. They should also have the right to be exempt from religious education.

That would also help the request which I think came from some organization about problems with compulsory religious education at the secondary level if all the schools were to transfer to the Catholic system.

Mr. Offer: Thank you for that expansion. Referring to the following page dealing with subsection 136o(7), is it true to say the general exemption, at the behest of the Roman Catholic school board, would apply to only a student who is not a Roman Catholic, that you do not wish—

Mr. Matte: That is right. A school board may exempt those who are non-Roman Catholics if they are going there for no reason other than because they like the school or they want to go to a Catholic secondary high school. However, Catholic kids who want to go there have a choice. If they want to go there, that is their problem, it is

their decision. If they want to go there, and there is no reason, other than program or it is impractical to do otherwise, then it is their choice and they should follow the religious education program.

Mr. Chairman: Thank you for a detailed update. We obviously will try to advise the Ontario Teachers' Federation as well as the affiliates of any amendments that are being proposed and forthcoming as we get farther into this.

I presume you will have representatives here during that stage of clause-by-clause debate. We are expecting to see some of the affiliates that have requested reappearance closer to that point as we get to it. You have given our researcher a lot of work in adding new potential areas of amendment to our overall compilation.

Mr. Matte: It has to be stated again that the OTF believes the extension of public funding to Roman Catholic boards should not be at the expense of the current public education system and that the government of Ontario must reaffirm that the public school system will remain the cornerstone of the education system in the province.

We wish to thank the members of the committee for allowing us to come a second time to make our views known on this most important issue to our members.

Mr. Chairman: The next presenters are the Etobicoke Women Teachers' Association and the Peel Women Teachers' Association. Ms. McCullough, I will leave it up to you to introduce your colleagues and take us through your brief.

ETOBICOKE WOMEN TEACHERS' ASSOCIATION, PEEL WOMEN TEACHERS' ASSOCIATION

Ms. McCullough: I am Ms. D. McCullough, president, Peel Women Teachers' Association. On my left is Ms. Kerry Deland, president, Etobicoke Women Teachers' Association. On her left is Ms. Susan Joyes, past president of our women teachers' association, and Ms. Pat Johnson, an executive assistant with the Federation of Women Teachers' Associations of Ontario.

On behalf of the Etobicoke and Peel women teachers' associations, I thank you for the opportunity to present our views and concerns on Bill 30. I realize this has been a long day for you and I will try not to take up much of your time.

As is evident in our brief, we are very concerned about the quality of education in our schools and the mixed messages we appear to be

receiving from various departments in the government. Appendix A very clearly outlines the goals of education as stated by the Ministry of Education. I draw your attention to three of these.

Through the process of learning, we are urging our students to be critical thinkers and to question and analyse information before making a decision. We believe in an educational system that encourages free exchange of ideas and opinions as an integral part of the learning process. This will be difficult in the public education system that promotes one religious philosophy.

Esteem for the customs, cultures and beliefs of a wide variety of societal groups is another very important goal.

Values related to personal, ethical or religious beliefs and to the common welfare of society are also included. Can you appreciate our confusion as we try to comprehend how this goal will be carried out in a public education system that furthers one religious philosophy to the exclusion of all others?

For the first time in years, religion has become a major topic of discussion and is becoming a source of community unrest. In Cornwall it was suggested that businesses be boycotted if they did not support the extended school funding. The tearing apart of communities cannot be in the best interest of public education in Ontario.

Bill 82 promotes the philosophy of teaching the child in the least restrictive environment. Therefore, the number of specialized locations has decreased and the learning disabled, the hearing impaired, the blind and the physically handicapped are being integrated into our regular school settings. On the other hand, legislation has been introduced which further promotes segregation on religious grounds by extending funding to separate secondary schools.

Another of our major difficulties in coping with the new legislation is trying to rationalize how \$34 million can be found to duplicate a system already in existence when no money was available to adjust the discrepancy in grants existing between elementary and secondary schools. I will not take the time now to justify the necessity of this adjustment. I think it is very clearly outlined in our brief. The interests of students in all our schools must be first and foremost.

We will be pleased to answer any questions, or perhaps you would like a chance to answer our questions.

Mr. Chairman: I will not permit the committee to do it in a systematic way, but if they want to do so in terms of their questioning of you, that is fine.

I notice you have made a strong pitch in your brief to us around the whole funding question and the need to increase the funding for the elementary panel. From your experience in the Peel and Etobicoke areas at this point, have you been able to measure an impact on the elementary system in this first year of the transfer of funds and in the loss of students in your jurisdictions?

Ms. McCullough: Right now we are certainly a growing area and as of yet we have not lost any students due to the funding. I do not think we are feeling the impact to any great degree.

Mr. Chairman: Is Etobicoke different, not being a large expansion area?

Ms. Deland: It would be very difficult for us at this point to measure the impact of something so recently affecting us. Maybe in a year we will be in a better position to say how it has impacted on us.

Mr. Chairman: You are teaching in the Etobicoke system at the moment?

Ms. Deland: That is correct.

Mr. Chairman: In your school, are you aware of children who have moved from your system to the Catholic system because of the extension?

Ms. Deland: Actually, I am the president of the Etobicoke teachers and as a result I am not in a school, so I cannot speak for a specific school. But our enrolments at the elementary level do not appear to be terribly affected. On the other hand, that could be a result of public confusion as to where children are welcome. There is an excellent example in Peel that Diane might like to recount where a child was making an attempt to go to another school.

Ms. McCullough: At St. Basil's separate school in Peel, a parent had wanted a child to be enrolled there because it was closer and was refused. The principal indicated there seemed to be some confusion as to the rights of children to go to elementary school; it was just a secondary issue and it would not affect the elementary children.

4 p.m.

Mr. Chairman: There are protections under the Constitution for the elementary panel that are clear at this point. There can be discrimination about who enters the elementary panel. This is a non-Catholic wanting to go to a Catholic school, so that capacity at this stage is there under the

present Constitution. It is true this bill does not affect that because of the prior right within the Constitution. It is something we have been hoping was not happening that much.

Mr. Offer: I have one question. I know Peel is a growing area and many times we have not only the educational centres now being built side by side but there are a lot of elementary schools that stand side by side.

With that in mind, you say on your first page, "If schools begin to segregate on the basis of religion, what message are we sending out to our students?" With respect to the elementary system, this is not new. I would like to get your sense as to a divisiveness, which I have not been able to detect, in the Peel region especially. I do not know if there is a message being sent out to the students.

Mr. Chairman: Are you talking about the primary level now?

Mr. Offer: Yes.

Mr. Chairman: What exists currently at the elementary level?

Ms. McCullough: The thing is that where it was not an issue before, it is now more prevalent in parents' minds and in children's minds. It is becoming perhaps more of an issue than it was before. I agree we have always had the two systems at that level. A few of the schools are very close. Often they back on each other. But it is becoming more of an issue. Children have a tendency to say things they hear at home. Where it was probably never discussed before, it is becoming something that is discussed now, so therefore they are more aware.

Mr. Offer: If I could just continue on a personal level, I have a daughter who has just entered the public school in Peel and next door is a separate school. It has no effect with respect to her friends. Some go to the separate school and it is just a matter of waiting after school. I do not detect a message or a divisiveness. It is something I do not concern myself with, but down the street there are those who go to the public school and those who go to the separate school. I am wondering if it is sometimes mainly in the minds of the parents. The kids just go out and roller skate.

Ms. Deland: I would not mind attempting that one. At a time when people have a choice of where to direct their funds—that is, if you are a Roman Catholic you have a choice whether you support the public school system or the Catholic system—that is one issue. But Bill 30 introduces the idea that I, as a non-Catholic, have no choice

as to where to direct my funds. I provide one system that my child can go to and another system that some other kids can go to. That is the part that creates the problems.

Mr. Chairman: However, that does exist at the elementary level now. You cannot direct your taxes to the separate elementary level at this point without declaring yourself a Catholic.

Ms. Deland: Right.

Mr. Chairman: That is why Mr. Offer's question is, if it is not a problem at the elementary level now, as he sees it, why will it be if that just gets extended for two more years?

Ms. Deland: If I can carry on, the logical extension is that if I am a Roman Catholic and have the choice of two systems, one that I have to contribute more to after grade 10 and one that pays for my child's education all the way through, in many cases I really do not even have a choice. If I want the child to stay in the same system all the way through, he begins in the public because I know he can end there. I think that is a possibility with the change.

Mr. Bernier: I was wondering about the movement of students in the first month. You say it is too early to make an assessment. Do I take it there has been no movement of staff either? Have there been no real problems with the shifting or movement of staff?

Ms. Deland: It is very interesting. Let me see if I can respond for Etobicoke. Etobicoke and our board did an excellent presentation to this committee regarding the effects of the decline on our area. For the first time in 10 to 15 years, we are hiring new teachers this year. We have not seen the effect on our staff in Etobicoke this year. I do not know that is—

Mr. Bernier: Then some of the fears we heard were unfounded?

Ms. Deland: Again, I have to say it is too early. The bill is not passed yet; so I do not know how we can say it has affected our system.

Ms. Johnson: One of the points we are trying to make in this brief is that there are so many variables at the elementary level which you cannot address in legislation or anything else. There is this sort of mindset; when you move into a neighbourhood you take your kids to the nearest school, and then you get upset if someone says you cannot take them there.

There are some places in Peel where kids have to cross a busy street to get to the separate school or the public school; therefore, the decision is made to ask to send them to the nearest school. These kinds of variables may not even surface

until a child who is three years old now becomes five years old; that may be when the decision is made.

We do not have any facts and figures for you that show a decline right now. In fact, we think the effects on the elementary schools, even in growing areas such as Peel and Etobicoke, will be many years down the road.

Mr. Chairman: For the level you are talking about, where those decisions about not crossing streets and such are made, the elementary panel at the moment does have the capacity, in the Catholic system, to say no to that child going to their school at that stage, and has had for 100 years. Crossing a busy street is not going to be a major factor for a teenager. Other kinds of things will comprise the noneducational determinants at that time, such as where his friends are going and so on.

Ms. Johnson: There are educational determinants as well. We all agree that sometimes a particular school has a particular charm; it may be a French immersion program, or it may be a particular principal. That is another variable we cannot legislate and we cannot seem to get our hands on just yet so we can provide you with facts.

Mr. Epp: I want to refer to page 3. I know this is not a question directly before the committee, but you are speaking about funding for the elementary panel being equal to that of the secondary panel. I am wondering on what basis you can justify that.

I am thinking of my daughter, who goes to a public senior elementary school where there are 300 or 400 students. If you were to inject another \$300,000 or \$400,000 into that school based on another \$1,000 per pupil, I just wonder what you would do with all that money.

Ms. McCullough: Just give it to us.

Mr. Epp: I know you would find ways of spending it. I am just wondering how you could responsibly justify giving another \$1,000 to \$1,200—is that not the difference between the elementary and secondary panels right now? Is it not about \$2,200 compared to about \$3,300 or \$3,400?

I am wondering on what basis you would argue that you should have equal funding to that of secondary schools. Your programs are not as elaborate and there is not the diversity. Is there not justification for having 10 or 15 people in a shop class and so forth? I ask you that as a former secondary school teacher, to show my bias. I will have no interjections from the chairman.

Mr. Chairman: Exactly. Primary reading is important—

Ms. McCullough: I was going to say I must not show my bias for primary teachers.

Mr. Epp: Okay; that is fair ball.

4:10 p.m.

Ms. McCullough: We are having problems right now. In the office we are continually getting phone calls from schools and teachers who are concerned about class sizes. That is one thing that will happen with the money. We could have primaries with 20 to 25 children in them, which we would like, and kindergartens with 15 or 18 children in them. Right now we are talking about junior classrooms that have 35 to 38 when we take the integrated children into them.

Although we have a fairly good pupil-teacher ratio in Peel, those are the realities of what is happening, with the smaller class sizes, with Bill 82 and the children who are being integrated. We are being asked to program for these children who need specific programs; with 30 in a classroom, that is very difficult to do.

At a secondary level, when you are talking about equipment and that kind of thing, you can see where the money value is going, whereas with the younger children you might not see it in quite that sense. You are being asked to individualize reading programs. How can you do that with 25 to 30 children in your room? How can you do those kinds of things? More money for teachers' aides and those kinds of thing is one answer: I am sure the money would be well spent, and I am sure we could justify the money at that level.

Mr. Chairman: The difference between the panels in other provinces is nowhere near as extreme as it is in Ontario. The principle or the notion of higher capital costs, etc., needed at the high school level has always been the determinant, rather than providing for the very human kinds of learning skills at that very impressionable age early on to which you are definitely speaking to. As a new father, I am interested in basic reading; the kid will look after himself when he gets to high school.

Mr. Epp: Although I can understand they would want some increase, it is the equal funding I had some difficulty with.

Mr. Chairman: It is an \$800 difference at this point; if you could look at that amount you could see ways of using it, as you say.

Ms. Joyes: I would like to add that I am back in a school this year; it is a senior school. We do offer family studies and industrial arts, which

takes quite a toll on our pupil-teacher ratio. We have very large classes in other areas to compensate for the small classes we must have for safety reasons.

Counselling is also greatly needed for students at that level. We do not have sufficient staff to offer anything adequate in the counselling that is there. I do the counselling. I have nine periods a week. I could stay every night till 6:30 p.m. to fill the requests we get for counselling. We certainly need money to address the staffing needs, especially at the senior schools.

Mr. Chairman: The chairman would not want to impose his views any further on the committee. You do not want me to add any, do you, Mr. Epp?

Mr. Epp: I think you had better stop while you are behind.

Mr. Chairman: Let me ask Mr. Allen to continue then.

Mr. Allen: I have sometimes suggested that the technology program perhaps should be across the whole curriculum for all grades rather than simply locked into the late years. That does not mean you would put your expensive computer-aided design and computer-aided manufacturing equipment in a kindergarten class, but it does mean you might have some expenses. I certainly agree with your arguments.

With regard to a couple of your concerns, I will share with you very briefly some of the things we have been hearing. You have raised some questions, for example, about the learning processes as you see them ideally on the one hand, and in relation to the Catholic system on the other, with its presuppositions.

It has been very interesting for us to hear both teachers and students come to us and tell us what goes on in some of their classes on society and on world religions, and to realize that there is, if you like, a real, open searching process that goes on. There is a dialogue, a respect for the need of the child to come to his own conclusions. There is a backdrop of faith in some of the implications, but at the same time there is a remarkably open learning process.

The other thing is that I hope in the wake of all this exercise, instead of doing all the talking we are doing now, we are all doing a lot of listening. One of the interesting things we were told a few moments ago by the Hamilton separate board was that the coterminous Hamilton boards—which involves three boards, as a matter of fact, two public and one separate—will be holding a joint professional development day very shortly, with McMaster and Mohawk people involved as

well, in the midst of all this controversy and all this back and forth and doubts and questions.

There will be a lot of good exchanges going on in that kind of setting. As a result of the bill, and possibly the putting in place of some mechanisms to encourage boards to move in the direction the Hamilton area boards have gone, to set up tri-board committees to supervise joint programs and explore new ways of moving together and sharing facilities and what have you, we are hoping there will be a lot of learning across the boundaries of the systems and a lot of sharing both of values and techniques. I personally look forward to that; I hope you will too.

Ms. Deland: It addresses a problem we are very familiar with. We believe you do not have to amalgamate with another group to work with them. That is definitely true in this situation.

Mr. Chairman: If there are no other questions for the deputation, thank you very much for coming together, jointly.

Ms. Deland: In summing up, one of the things we addressed in our brief that has not been discussed—maybe because that is not what this committee is about, but it is a point we would like to leave you with—is that it is very frustrating presenting a brief to a committee that is studying something that is being passed with a process that we believe is not the kind of process our Canadian and provincial governments are based on. It is very frustrating for us to present recommendations and to watch the funding be implemented in spite of the fact that the constitutionality of this bill has not even been declared yet.

The other little point I would like to make is about a typographical error. I would appreciate it if the committee could note that the brief is presented by Peel and Etobicoke, not in consultation with.

Mr. Chairman: I appreciate your comments, and it is understood by the committee that a number of people have expressed that frustration with the process. We from our part, in our jurisdiction, are trying our best to be as open as possible and to listen as much as we can. Some people have said our committee is like closing the barn door after the horses have gone; but we have the capacity to round up the horses and put them back in a retroactive fashion. You will find the recommendations coming out of this committee will be very strong and directed.

4:20 p.m.

The next presenter is Mr. Way. There are several items here for the members: 764, 764A and 764B.

W. WAY

Mr. Way: Thank you for letting me come here, although it is not as good as a vote, which I did not exercise at the last election. Usually, I do.

I am dealing with two other people as well. Do you have that?

Mr. Chairman: Yes, we do. We have both of those. We have an exhibit of Carole Way's as 764A and Mr. Davis's as 764B.

Mr. Way: I will give those first.

"Mr. Chairman and members: I am against funding of religious schools in Ontario. We should have a public system only." Charles Davis signed that.

The other one is from Carole Ann Way.

"To the committee on full funding for Roman Catholic schools:

"As a concerned citizen of Ontario, I wish to express my views regarding the issue of full funding for Roman Catholic schools. After having written to the MPP for my riding, I feel I must do more since none of the political parties represent my views. There are many others in Ontario who feel their interests are not represented as well.

"I do not believe that segregating our children according to their religion, social class or on any other basis is healthy. It is well known that people tend to fear the unknown and these fears can grow into mistrust, suspicion and prejudice. Essentially, this is what we are fostering when we separate our children during their school years.

"Just look at what religious segregation has done in Ireland or the division of social classes that the public/private school system in England has created. Furthermore, a classic example of what segregation can do is found in the United States. Only now that segregation has been declared illegal are they beginning to make inroads on the problem of racial discrimination.

"In the 1950s, when I attended school in Guelph, I and my classmates never had an opportunity to meet or get acquainted with most of the children in the separate schools. Those we did know were high school students who came to the public high school because there were no Roman Catholic high schools. Separate high schools wouldn't have provided that opportunity.

"Apart from the issues mentioned above, there is also the problem of providing the money to carry out the funding. As a taxpayer, I do not want my tax dollars spent in this way when there are so many other social problems in Ontario that need attention—for example, better homes for the

aged, better hospital facilities, better day care—and then there is the problem of poverty in Ontario generally, which I believe is brought about by unemployment and high taxes.

"Another issue is the discriminatory practice of Catholic schools in their hiring of teachers, the loss of jobs and the deterioration of the public school system.

"It is true that the separate school system in Ontario has been entrenched for many years, but this does not mean that it is a good system or that it's good for Ontarians. The Progressive Conservative government was also entrenched in Ontario for many years. So was the practice of slavery in the US.

"I believe this edict, handed down by the former Premier of Ontario and promulgated by the leaders of the two parties who succeeded him, has done more to cause a rift between Catholics and Protestants and citizens of Ontario generally than anything in the history of our province. The sad thing is that it was completely unnecessary. This bill, if passed, will infringe on the rights of all Ontario citizens, and I and my family would like to see a referendum so that all concerned can express their opinion.

"I am not advocating taking away anyone's right to practice their own faith. What I do advocate is the promotion of human unity and the founding of a good community spirit. I feel that through providing our children with an opportunity to attend school alongside their neighbours of all religious creeds and convictions, we would be fostering a spirit of co-operation and the development of fine Canadian citizens." That is signed by Carole Ann Way.

I would like to preface my presentation to the social development committee with a few short remarks. You may think I have wandered away from the point, but what I am getting at is that education is power. This is a power battle. I do not think power should reside with any church.

It is my opinion that the above-named committee is misnamed. It should be called the Ontario taxation committee. It is incomprehensible why I should have to pay into a scheme so it will benefit any religious body over others. Further, I am not in favour of religion in schools, nor do I wish to support it with my tax dollar.

To my mind, school is a place for logic and logical subjects. Religion is not logical; it is based on faith and belief for which there is no concrete proof. Faith and belief can take many paths and to be fair you should fund them all. Even funding the one will be the death of the public school system which is a desirable system

for everyone. The religion thing should be left to the various churches, etc., and the home.

I find it particularly scurrilous that the three political parties are blocking practically all independent thought on this issue and taking the stance, "My party, right or wrong." None of you got my vote last election and if this issue is passed as law, I will probably leave Ontario, where I was born, so you will not get my taxes towards it. It is my opinion the Anglican archbishop was right; you are dictatorial.

Someone arguing before the court on this issue said that in 1867 Roman Catholic education in Ontario schools was a tradeoff for Protestant schools in Quebec. This man from the Ministry of the Attorney General should know better. The Protestant schools in Quebec, mainly in Montreal, are not, strictly speaking, religious schools. They accept anyone and are more properly public schools. Further, the Roman Catholics in Ontario are getting much more in Ontario since they are more prolific.

The anglophones have been chased from Quebec by unfair language laws and their number is not large. It is a different Ontario than in 1867. Why should we be bound by what happens in Quebec? Education in Ontario is the responsibility of Ontario government, not Quebec government. It should not have some religious guru in a foreign land calling the shots on what should be taught in our schools.

It is my belief religious people practice apartheid even in death. Separate schools offend me when they separate their schools by race, such as Ukrainian and Croatian public schools. Certain religious groups become despots when they gain a certain level of power. They try to surround every citizen with their belief and use force to do so.

An example is the St. Bartholomew's Day murder of thousands of French Huguenots in France in 1572. The Roman Catholic king and the Roman Catholic state murdered them and confiscated their goods. Cardinal Richelieu came along and any who had a chance had to run for their lives.

Another instance along the same lines happened a few years ago in Quebec when Jehovah's Witnesses had to go to court to get approval to disseminate their literature there.

As long as there are religious zealots—I am sure a lot of Roman Catholics as well as others fall into this category—you will find outrages performed in the name of religion and St. Bartholomew's Day in France in 1572 will be repeated.

It is not right that the Ontario government should be a missionary arm of the Roman Catholic Church through our public funds. If they want their separate schools, they should pay for them and keep them separate, and others also. Religion has been the cause of conflict in the world, Muslim against Jew, Sikh against Hindu, Protestant against Roman Catholic, etc. and vice versa.

Our government should get out of this religious bent in Roman Catholic religious education. It is in an area in which it gives the appearance it would declare the Roman Catholic Church the provincial church and it has no business doing this.

4:30 p.m.

I happen to believe a person's body is his or her own, not the state's and not the church's. If a woman wants an abortion, that is her business, because if it is murder at Henry Morgentaler's clinic then it is murder at the general hospital. Given the forecast of seven billion people on earth in the year 2000 from four billion in 1978, nature has provided a means of controlling the birth rate much better than the unsure rhythm method espoused by the Pope in Africa, where they desperately need birth control.

So that is an area in which I disagree with most gurus of Christianity. The Roman Catholic Church and others have tried to forcibly close the clinic on Harbord Street and I would have to say this is par for the course. When we have churches taking over our politicians, members of Parliament and so on, we are in a religious straitjacket and I want no part of that.

Do not get me wrong; I believe there should be freedom of religion. However, there should be freedom from religion for those who desire it, particularly in government and in school funding; otherwise, there will be a lot of people who are not funded thinking they are second-class citizens in Ontario. I think the name of the game is Roman Catholic power.

Thank you.

Mr. Chairman: Thank you, Mr. Way, for taking the time to come and talk to us today, to express your opinion and to pass on the feelings of your two friends as well; or daughter and friend, I am not sure what the relationships are.

Are there questions from committee members?

Mr. G. I. Miller: Mr. Way, is there any evidence that really shows we are going to destroy the public system?

Mr. Way: What is that?

Mr. G. I. Miller: Is there any evidence that points to the destruction of the public system by the separate school funding and the systems already in place?

Mr. Way: I do not understand you.

Mr. G. I. Miller: I think you indicated in the brief that funding the separate schools was going to destroy the public system.

Mr. Way: Yes, I think it will. Because of the immigration policy of the Trudeau government, we have a lot of people here and, for the most part, those who have been brought in are Roman Catholic. They are very prolific in their birth rate. I think that it will; I definitely do. I think it is a power trip.

Mr. G. I. Miller: Again, I would just like to inform you that we have had presentations from Saskatchewan, Alberta and Newfoundland, where it has been in place and where it really has not been divisive. One member of the provincial Legislature was not aware they were being fully funded.

Mr. Way: I am not in favour of religion in the schools; it separates our kids. They should keep it out of the schools and they should teach it in the churches, the temples, the home, or wherever it belongs. Then we would do away with a whole lot of these problems. I do not think even the public schools should be funded. That is my opinion.

Mr. Chairman: We are hearing a variety of opinions—

Mr. Way: Yes, you are bound to get a variety of opinions, I know that. Everyone has an opinion, but it seems to me the sensible thing to do is to stay away from religion. It causes more trouble. Those who desire it can have it, but do not bring it into the schools, where logical subjects should be taught. Faith is hope; that is what religion is based on, and it is not logical.

I think education should deal with logical subjects. For those who are fit to teach religion, there are all sorts of churches around to do it in. There are facilities in which to do it. It is not as if we do not have the facilities. We have churches, temples, and everything else coming out of our ears here; we have everything under the sun. We have many paths, you know.

There was the Inquisition, which lasted nearly 600 years, and then the Spanish Inquisition as well. They forcibly tried to make people believe as they did; they burned them at the stake and everything else. I think history has a way of repeating itself, particularly if a certain element gains power. I think this is a very powerful thing.

Mr. Chairman: Thank you, Mr. Way. I often wonder why people making this argument only use the instances with the Catholic Church in the past.

Mr. Way: I beg your pardon?

Mr. Chairman: I said I often wonder why people like yourself who make these presentations only use Catholic examples of excess in the past and do not look at some of the wonderful examples of other denominations on the Christian side of thing.

Mr. Way: There are others, too. I said churches; I did not say only Catholics.

Mr. Chairman: I just noted that the only arguments you made or the only examples you gave were on their behalf.

Mr. Way: I said churches can become despots when they have gone too far. With their zeal, they get carried away. Look at Bob Jones; was it Bob Jones down in Guyana where he had about 1,000 people drink poison? He was a religious zealot.

Mr. Chairman: There have been a number of good examples we could use. Thank you for coming before us. One of the things about this committee is that we try to make it as open to individuals to come forward—

Mr. Way: This is dealing with Roman Catholic school funding so I had to make the point about Roman Catholics.

Mr. Chairman: And you have done your best.

Mr. Way: Thank you.

Mr. Chairman: The final deputation for the day is the Dufferin-Peel Roman Catholic Separate School Board. Would the deputation like to come forward? Thank you for accommodating us with respect to the time. It turned out that, with other cancellations, you were our only deputation for this evening and it is a lot easier on us if we can hear you this afternoon rather than us coming back this evening.

This is item 765, which has already been distributed to the members. I have three names here and there are four of you there so it would be wise if you were to introduce yourselves.

DUFFERIN-PEEL ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Mr. Hall: I will do that for you, Mr. Chairman. My name is Bob Hall, I am the chairman of the Dufferin-Peel board. I have with me this afternoon Jack Smith, a trustee and the chairman of our completion committee; also, Joe

Hugel, a trustee and former director of our board; and Jack Burns, who is the superintendent of programs for our board.

With that introduction, I would like, on behalf of our board, to express to you our appreciation for the opportunity of speaking to you and expressing our thoughts on Bill 30. It is not our intention this afternoon to read this brief to you but to speak generally to the content and the various parts on which we feel you would like to hear from us, and also to address those areas of the bill which we feel are pertinent to the ongoing process you are undertaking.

Perhaps I could give you some of the aesthetics of the Dufferin-Peel board. We are a board that lies immediately west of Metropolitan Toronto; we comprise the whole region of Peel and the county of Dufferin. We are the second largest Catholic board in this province; we have a student enrolment of something like 44,500 students in junior kindergarten to grade 11.

We are one of the fastest growing boards in all of Canada. I suppose one of our greatest challenges is to provide the necessary facilities that we need to cope with this phenomenal growth and we do the best we can.

In speaking to the brief, generally we are very supportive of this bill and believe that its intent, to provide for the completion of our secondary schools, is founded on just principles. At the same time, it does provide a protective element for those who have legitimate concerns with regard to its implementation.

We would espouse the six principles that are addressed in the statement of the Minister of Education (Mr. Conway) to the House in July of this year. They go a long way in setting out for us what we perceive to be the aims and objectives of Bill 30.

To speak a little more precisely to some of the issues, Jack Smith would like to speak to our admittance and the overcrowded conditions for students.

4:40 p.m.

Mr. J. Smith: I would like to reiterate our position, with respect to student accommodation and admission, as outlined in the brief. We strongly support the idea that parents and students should be able to select their schools.

Also in the brief, we point out that in our circumstance it is absolutely vital that the proviso "when space is available" be included. If there is to be some relaxing of that proviso, it would have to be accompanied by significantly higher levels of capital funding. On page 5 of our brief we go

into some detail, which we might choose to address later.

I will offer a graphic illustration, with respect to overcrowding, and ask Mr. Burns if he would distribute photos of some of our high schools which very clearly show the situation we are in. It will become evident that we have a large number of portables at all these sites. This is coupled with the Ontario Schools, Intermediate and Senior Divisions guidelines, which are coming on stream. It seems, increasingly, that spaces in high schools will have to become more specialized.

Studies show that the number of specialized spaces in high school is constantly on the increase. We recognize that in the short run we are going to have to get facilities that address these needs. The point I am making is that portables will not answer our long-run needs and requirements.

I would point out, before I leave it, that the figures show we are going to be experiencing significant enrolment increases over the next 10 years. Over the past 15 years, this board has increased by an average of 2,000 students a year. We like to think we have developed coping skills. We are not really shrinking from our responsibility for the task ahead; we would like to make that point. We are willing to take on the challenge of increased enrolment. In fact, we welcome it. However, we are concerned with accommodation and spaces, especially of the specialized variety.

I would like at this point to make a number of comments on the nature, philosophy and practices of our board. We have never turned down a student, in spite of the large number of students we welcome each year. Students are welcomed when they choose to come into our system. We do our very best to provide an appropriate program.

In this area of appropriate programs, the impression is sometimes left that our schools are very restricted in their program offerings. That is true to some extent. However, there are a number of courses offered at each of the levels of difficulty, especially in core courses. We have offerings in commercial and business areas at many of our high schools, and also, to a lesser extent, in the technical areas. In the future, we intend to expand these course offerings to comply with the requirements of OSIS, with the plans that are on stream right now.

I would like to talk about the area of co-operation. In Peel we have a long history of co-operation with our public school counter-

parts. One of the more recent examples is the agreement to build a vocational school in Meadowvale.

We both recognize the fact that in the short run it will be very difficult for the separate board to offer viable programs to students requiring vocational programs. We gladly entered into the agreement with the public school board. With this act of co-operation, the students requiring vocational programs will be able to get them in Peel.

Lastly, I come back to the idea of wanting to offer programs to all our students. We look forward to the day when we will be in the position to offer all Catholic students complete programs in Catholic settings.

With that comment, I would like to turn it over to Mr. Hugel.

Mr. Hugel: My task is to address section 136l of the bill. Would you turn to page 6 under designation of teachers.

Section 136l is acceptable in principle. However, we feel some clarification is required. The first one I would like to address is the term "public board." It is our opinion that it should clearly mean coterminous board or Roman Catholic separate school board so there is no question about it, particularly if you look at subsection 136l(9). That is the first item.

We also have questions on subsections 136l(6) and 136l(7), particularly subsection 7, in which the commission is to transmit lists of names of designated persons to all boards in Ontario. I would like to pose some questions and comments. Are we raising false expectations?

Second, my understanding was that this section was to ensure jobs within coterminous boards where there was a local shift of pupil population and not necessarily for all of Ontario. It would be very difficult if one board was growing and it was the only board in Ontario that had positions. Would all the designated people from all of Ontario come to that board? Are you raising false expectations?

Are we creating more problems than we are solving? Let me refer to a few items here. Are we going to bring in people from the north to take the places of people who have lived in the community all their lives? That is just an example.

Time lines could also be involved. Even now, with designated people at the local level coterminous boards, we have to change our time lines when teachers want transfers from one school to another. That has to be delayed until all this has been processed. Now you want to delay it some more. Imagine the morale problems created by

this. Are we creating more problems than we are solving?

Are we also going to have the planning and implementation commission now, with another bureaucratic department to look after all this? We have enough examples with the Education Relations Commission and the planning and implementation commission and so on. Are we taking money from education that should be in education to do all these things? I leave that with you. That is the part we question.

May I suggest you read page 7 of our brief where we address the topic of volunteer transfers. I will not address that at all.

Subsection 136l(8) talks about teachers who possess qualifications no longer required or those who cannot in conscience accept a transfer. We would advocate that perhaps there be financial assistance by the province and that maybe the local boards and even the affiliates should be involved in this responsibility towards counselling and the retraining programs. Let us make everybody a little bit responsible, not just the government and the board. How about the affiliates? They seem to be involved in some of these things. I leave that with you.

Finally, we would like to comment on section 136m, the staff dispute resolution. Basically, we support the procedure outlined. However, we feel the word "party" needs to be defined more clearly. Are we talking about affiliates? Are we talking about teachers? A definition of the word "party" might be appropriate at this stage.

That is my part. I will turn it back to Mr. Hall.

4:50 p.m.

Mr. Hall: Our board can appreciate the difficult task you people have in hearing the many briefs that you have and resolving in your own minds how this important matter should be addressed or resolved.

We in our own jurisdiction feel very confident that we are able to work well with the Dufferin board, the Dufferin-Peel board and the Peel Board of Education. We have on occasion met and we do now meet with their chairmen and vice-chairmen about once every two months to discuss the issues that are transpiring in this lengthy debate and ongoing process.

Despite some of the things you have heard and things that have been said, we are determined to make this thing work. We appreciate the work of the planning and implementation commission and the recommendations it has made.

I believe, too, that each area will have to find its own solutions to the problems we face. What

we need now is co-operation and goodwill and to work towards the aims and objectives of Bill 30.

I would like to conclude our remarks by thanking you for this opportunity and ensuring you of our board's co-operation in the deliberations.

Mr. Chairman: Thank you, Mr. Hall, and your colleagues for your presentation. The only dangerous item in the whole matter has come up again with Mr. Bernier here. I feel I should warn you that it is unfortunate to choose the north as the place that these people may come from; choose Scarborough or some such place. Never choose the north in the pejorative sense.

Mr. Bernier: You would not deny it, would you?

Mr. Chairman: It causes so many problems.

Mr. Hugel: Yes, I should have used a little more appropriate location such as Stormont, Dundas and Glengarry.

Mr. Chairman: That is more appropriate, I agree.

A lot of people have raised concerns about this whole provincial pool notion and how it would work. Most committee members agree that in its present form it is totally impractical and will cause more problems, as you say, than it is worth, and that if we are going to maintain it, then it really needs a major rethink in terms of what rights designated people carry with them and that sort of thing, because they have none at this stage.

Are there questions or concerns from committee members?

Mr. Offer: It is nice to see you again. Thank you for the brief.

Mr. Chairman: You have met these people before?

Mr. Offer: Oh, yes, we had some discussion.

I would like to direct your attention to page 4, with respect to the student accommodation and admission. You talk about the space availability as "an absolute necessity," on the basis that space is totally unavailable at this time. Many times we have heard that the space availability, mainly the universal access problem is there to protect the catholicity of the school. I am wondering what your opinion would be to a total access, universal access to the separate system, with the proviso that the opting out of the religious class be the same as is now in the act. In other words, you could opt out of religion only for specific purposes, but the right to attend the separate school would be on a universal basis.

Mr. J. Smith: Speaking for myself, I have no difficulty at all with the access question, and I think I speak for the board. We have had numerous examples in the past of non-Catholic students attending our school and they add a great deal at both the staff and the student level. With the assurances you outlined and as provided in this bill, there is no difficulty at all with that question.

Mr. Chairman: You do not want to drop your proviso of more capital funds to make sure you have the space for them, though?

Mr. J. Smith: We can not quite drop that. We have to stay with that.

Mr. Offer: I will be asking an alternative type of question, if one does not mind.

You mentioned your relations with the coterminous board and I was wondering if you might be able to expand on some of the co-operation that does or has or possibly exists between you and the Peel board.

Mr. Hall: If I may attempt to answer part of that, it is referred to in our brief, I believe on page 8. This past spring, the Peel Board of Education and the Dufferin-Peel Roman Catholic Separate School Board agreed that 25 positions would have been made surplus this coming year by the completion. Our board immediately offered positions to 21. Of the 21, six accepted positions with our board. The others felt that, with the growth that is occurring within the Peel board as well as our own board, they could be accommodated where they were. I believe that is exactly what happened.

This demonstrates that we do have, at staff level and at trustee level, a communication and a profound desire to work together for the solutions that may exist in our area.

Mr. Hugel: I would like to add a couple of things. Every year planning staffs of both boards meet together to plan school sites, buildings and so on. That has been going on for years. For years, we have had an exchange in sensitivity classes. The Peel board bought some services from us at a time when it did not have the services, and back and forth. We have done that.

There is some transportation planning that goes together. There was also a time when our board rented space in many of the public schools. We purchased some of the schools from the Peel board.

Mr. Hall: We still rent some of its buildings. Beatty Fleming Public School in Brampton is rented from the Peel board.

Mr. Hugel: We purchased Gulleden school and Runningbrook public school, so there are a number of things that have always gone on between the two boards.

Mr. Offer: With respect to the co-operation, is there a formalized procedure, meaning the makeup of how you meet with the public board?

Mr. Hall: Our meetings with the chairman and the vice-chairman of the Peel board and the representatives of the Dufferin board have been on an informal basis. Each of us has taken turns to host a luncheon, at which time we get together and express our concerns or those things that we feel should be addressed and then take them back to our boards. Through that, we maintain a cohesive effort to try to resolve these issues.

I was attempting at one point to have a joint statement issued on behalf of the Peel board, the Dufferin-Peel board and the Dufferin County Board of Education. The Peel board in its position as a large public board felt reluctant to join in such a statement at that time. It still feels that way. Because it is seen as a large board, it has a position to maintain in all of this discussion.

Mr. Offer: With respect to the declaration of more than 20 redundancies, was there a formula agreed upon between you and the public board? Was that agreement ever produced in writing as opposed to just verbal

Mr. Hall: With regard to the surplus teachers?

Mr. Offer: Yes.

Mr. Hall: Maybe Jack will address this for us.

Mr. Burns: The planning staffs did agree on the number they felt would be affected by completion. There was a document developed, formalized and accepted by both parties, that clearly laid out the procedure that was going to take place in dealing with these people. I should note that although we agreed on more than 20 teachers, 37 were actually approached to see if they wished to take advantage of this. Only six did so in this locale. Yes, it is in writing.

Mr. Chairman: Are they all Catholics?

Mr. Burns: The six? I have no idea.

Mr. Davis: I have a couple of quick questions and then I would like to pursue another line of thought. Of the 25 teachers, you hired six, and 19 are still left. Are you responsible for those 19 teachers?

Mr. Burns: The 19 teachers were offered positions in Peel. As the spring went on, vacancies occurred simply because Peel was growing and there were last-minute resignations. They were all "reabsorbed" into the Peel system.

5 p.m.

Mr. Davis: The present understanding of the bill is, if 25 teachers were declared surplus to the system, the coterminous separate board would hire 25 teachers. You are saying that they were absorbed by Peel. I was asking whether or not you are responsible for those teachers in the coming year. They might kick out come spring; even if they are absorbed by Peel.

Mr. Burns: We would have to renegotiate that.

Mr. Davis: Fine.

You stated something interesting; that you purchased schools from the public system. How much did you pay for those schools?

Mr. Hall: I do not know whether we have the information here. However, we paid market value for them, originally. Subsequently, the Ministry of Education introduced a formula, which was more viable for us as a board, for purchasing schools declared surplus. We used that formula which the ministry put in place.

Mr. Davis: Were they elementary schools that you purchased?

Mr. Hall: Yes.

Mr. Davis: Could you send us that information? It would be interesting to have.

Mr. Hall: Yes, we will get that to you.

Mr. Chairman: Mail that to my attention, Mr. Burns. It will be helpful. I will make sure it is disseminated to the committee. I will allow a couple of questions, Mr. Davis.

Mr. Davis: Do you have chaplains on staff in all your secondary schools?

Mr. Hall: Yes, we do.

Mr. Davis: Are they lay, or priests?

Mr. Hall: They are priests.

Mr. Davis: Do they teach any other classes?

Mr. Hall: They do not teach classes, as a rule. I believe there are some who are qualified as teachers. They may, in some way, participate in the actual teaching of a subject. However, other than that, they are chaplains who administer to the needs of the young people.

Mr. Davis: Are they paid on a teacher's grid, or are they paid as consultants?

Mr. Hall: I believe they are paid on a teacher's grid, if they qualify.

Mr. Davis: What if they do not qualify?

Mr. Burns: There is a parallel system; special aides.

Mr. Davis: You would pay them the same way you would pay a psychologist or a social worker and so on.

Mr. Burns: On a schedule 2.

Mr. Davis: How long have you had chaplains on staff?

Mr. Hall: We have had some of them for quite a number of years. These priests are not always available. However, when we can have them join us, we are certainly glad to have them with us.

Mr. Davis: Do they still look after a parish?

Mr. Hall: No, they are strictly attached to the school.

Mr. Davis: How many did you hire this year?

Mr. Hall: Was it one or two?

Mr. Burns: I would say one.

Mr. Davis: Thank you.

Mr. Hall: Could I offer a little more information about the chaplains, and the chaplains' use?

We had a vivid example of the use of a chaplain in our school system. You perhaps read about a young girl who was killed by a bus in Kitchener this past September. She was a pupil of our Brampton Cardinal Leger school. I cannot tell you the hours that the chaplain, Father Ron MacIntyre, spent with the parents of the young girl who was killed, and also with her classmates. It was a very emotional time for all of them. I do not think there is any way you could have replaced what he did at that time. I mention it as a reference.

Mr. Chairman: Thank you, Mr. Hall. Are there any questions?

Mr. Allen: Thank you for the brief, gentlemen. I have a very brief question. I would like to follow up on the question of the member for Mississauga North (Mr. Offer) about space availability. It is an access question. When you define the phrase "when space is available," do you use it with reference to your gross space problems across the board or with reference to specific program availability and space in programs?

Mr. Smith: In secondary schools, you use it in terms of program provision. When a student comes to you, you do not talk in terms of the number of pupil spaces in the school. You talk about the number of spaces available in particular courses which, when you get a number of courses, comprise the program. When students come to our schools, the counselling is along the lines of trying to provide an appropriate program for that student. The reference to space would be in the context of program, rather than just a seat in a particular location.

Mr. Allen: Is it necessary to have that phrase in this act in order for you to control access to program?

Mr. Smith: I think so. There has to be a refinement of the definition. It does have to have some reference to the idea of program.

Mr. Allen: The first response we normally get on the question of that clause is the gross problem of underfunding, lack of capital resources, therefore overcrowded schools as a general proposition.

Sometimes I have wondered, if that is the concern, whether one could not relate the clause to specific kinds of conditions and student-seat ratios, and things like that, to resolve that problem. You are saying it is more than that, and it is quite necessary. There are no other provisions in the Education Act or in the regulations that enable you to handle problems where a student comes and says, "I am looking for this program," and you say, "We are so overwhelmed in that program there is no way we have any more space in that program," outside this clause.

Mr. J. Smith: You would have the situation where there would be space in certain courses but they would not be appropriate to the student's needs. For that student, there would be no room. For another student, you might have room. I am in full agreement with what you say. There has to be a more refined definition.

Mr. Davis: I want to talk to the program area. That allows a school jurisdiction to be very selective, by simply saying there is no space in the program. I would venture to say, if a student came and the timetable was such that there were space limits—I am not talking about your shops because they are set by ministry guidelines—if the student needed a business or math course, for example, to fulfil his timetable, I do not believe there is any school jurisdiction across this province that would not add one more student to the class.

Mr. J. Smith: I agree. We come back to this question of specialized spaces. It is true. You will put the 38th student in English, you put the 39th student in math, but when you come to computer science, if each student requires a terminal and there are 30 terminals in the classroom, the needs of the 31st student cannot be met in that setting.

The same is true in chemistry. There are only 32 stations in the room. Agreed, I think you would be on very thin ice to say we cannot take the extra English student, but I think it could be

irresponsible to start taking students in, knowing full well you could not deliver what that student requires in the area of program.

Mr. Davis: Regardless of the fact that he is a separate school student? You have 32 stations in your science lab, or you have 32 computers, and he is now the 33rd student, but he is a separate school student, do you find place for him in that class?

Mr. J. Smith: Ultimately you would, but I think there are other possibilities you would explore. The student may come in grade 11 and want computer science. Not all students need a particular course at a particular time. You often ask them to take it in the next semester, or delay it for a year. There is some flexibility in this area of delivering programs. You would not say, "No, you cannot come here." You might say, "Would you delay that request?"

Mr. Davis: So it does not matter what that student's background is, whether it is separate school or non-separate school; you would afford that individual the same kind of opportunities.

Mr. J. Smith: Absolutely.

Mr. Davis: In some cases, even in the public educational system, if you are the 31st student registering for computer science, you are told, "I am sorry, the class is filled; can you take it next year," because of the credit system.

Mr. Chairman: Just so we can tidy up on this matter, I think what we are after here surely, if I understand what you are saying, is that you want no more rights than exist in the public system right at the moment with regard to making those decisions. That is my understanding.

5:10 p.m.

Mr. J. Smith: That is right. I would like to close by saying that it would have to be very extreme circumstances where a student would come and we would say, "You cannot be admitted," because of program restrictions. The point I made earlier is that we have never turned a student away because of lack of availability of program. But when you look at those pictures and we see what the demands of OSIS are in the future, we really have to try to provide these specialized facilities. Given the numbers, this flexibility is quickly going to disappear.

We might be in the position that we have not had to adopt so far, of telling a student that we just cannot offer a program. Happily, we have not had to do that yet. I do not think it is an imminent possibility, but we all agree that in the near future it is going to become increasingly difficult to give students the programs they require.

Mr. Chairman: Thank you. I want to thank you again very much, Mr. Hall and your colleagues, for coming, especially for accommodating us and coming a few hours earlier. It allows us to have our evening free to do some other office work for a change, and not just to be dealing with completion matters.

Mr. Hall: Thank you, Mr. Chairman and members of this committee. We are grateful for this opportunity.

Mr. Chairman: The committee is adjourned until 10 o'clock tomorrow morning.

The committee adjourned at 5:12 p.m.

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Burns, J., Superintendent of Program
Hall, R. F., Chairman
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Smith, J., Trustee

From the Durham Board of Education:

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From the Etobicoke and Peel Women Teachers' Associations:

Deland, K., President, Etobicoke Women Teachers' Association
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Joyes, S., Past President, Peel Women Teachers' Association
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From the Hamilton-Wentworth Roman Catholic Secondary School Board:

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No. S-59

Hansard

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Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament

Wednesday, October 2, 1985

Morning Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 2, 1985

The committee met at 10 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. The first group before us today is from the Haldimand district of the Ontario Secondary School Teachers' Federation, so obviously we are expecting questions from Mr. Miller this morning in our parochial sort of interest group analysis here. I welcome Mr. Thompson and Mr. Ishibashi and invite them to make their presentation any way they like. Then we will open it up for questions.

Mr. G. I. Miller: Do not be too presumptuous this morning, Mr. Chairman.

Mr. Chairman: No, I will not be. I am sure there will be questions from this area over here. I have almost marked it down already.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 53, HALDIMAND

Mr. Thompson: I would like to begin by thanking you for inviting us here and letting us share some of our concerns with you.

Our approach to the problem at hand is that it is a purely political one. It arises from a political decision and we regret the fact that, because the religious denomination of the schools involved is Roman Catholic, ill feeling has been created within the Ontario community. It is a merely an accident of history.

The primary concern of our submission today is the possible disruption and jeopardization of quality education in the secondary panel of Haldimand. We will also refer to some of what we feel are the discriminatory aspects of Bill 30, its legality, the abridgement of the democratic process as it relates to Bill 30 and whether it is an appropriate attempt to serve the educational needs of a multicultural society.

Before I go on, I would like to thank many of the people of Haldimand who helped me prepare my submission and talked to me. In particular, I would like to make mention of Jake Fransen, the director of education, Dave Bell, the superinten-

dent of schools, Gerry Rumball, the principal of Hagersville Secondary School, Derek Bishop, the principal of Dunnville Secondary School, and Mr. Ishibashi on my right, the president of OSSTF District 53. All these people have taken some time to explain their concerns and allowed me to express them here today.

First, I will talk about the local concerns. The Haldimand Board of Education, as part of its operation, serves four small to medium-sized single-community high schools approximately 10 to 14 miles apart. Each school provides a balanced and varied educational program. Perhaps because of Haldimand's unique rural setting, there is a natural cohesiveness between the community and the school. The unit of this cohesiveness is the loyalty of the student to his or her school. Any withdrawal of students because of a restructuring of the educational system in Ontario could seriously damage the quality and the content of education now present in Haldimand.

How might this be jeopardized? There are 2,600 students in the Haldimand high schools. Of these, 10 per cent or 260 are Roman Catholic. If for any reason these 260 cease to be part of the system, the single-school community fabric could quite well be threatened. There would be a loss in assessment revenue, which would result in a contracted school program. With a reduced program, there would be an increase in busing because students would find their local schools could not then provide the courses they wanted. These students would have to travel to other schools where the credits were offered. There are also those students who, if they had to be bused away from their communities, would simply not go. This would mean a further reduction in students.

Jake Fransen, the director of education for Haldimand, believes a 10 per cent reduction in students could possibly wipe out the entire technical program in Haldimand county. If students who want these subjects cannot receive them in Haldimand, they might look elsewhere. However, it is unlikely these students would travel to a larger neighbouring board such as Brant. They would most likely just drop out.

Furthermore, the 10 per cent minimum reduction in student population, which does not take

into consideration the additional reduction that might be triggered by the departure of the technical students, would result in the loss of 16 permanent teaching positions. This is how the quality and content of education may be jeopardized in Haldimand.

Taking into consideration the very real possibility that there may be a separate school built in Haldimand, we have to ask ourselves, where would it be? The ideal location is Cayuga, the geographical centre of the county. Of course, it currently has a public secondary school that is attended by almost 800 students, or approximately 30 per cent of the entire body of Haldimand secondary school students.

If Cayuga Secondary School were to become a separate school, you would have a ludicrous busing situation on your hands. As much as 30 per cent of the public secondary school population would be bused away from Cayuga, the county centre, in order to accommodate the 10 per cent of the secondary school population that is Roman Catholic, who would be bused from the outlying areas into Cayuga. This would be a glaring duplication of services and also a costly and unnecessary expenditure. No matter which of the four community centres a separate high school might be located in, there are going to be problems.

It is also fundamentally inequitable that taxpayers who are supporting two school systems—and I want to stress this because it is a problem that is very possible in Haldimand—will have no choice as to which school they will be able to send their children. In a small community that has two high schools, it may be the perception of the population that one system is clearly superior to the other and, therefore, a desirable school at which to have their children educated. According to Bill 30, citizens must support both systems with their taxes but may be forced to send their children to one they consider inferior. There is really no choice.

Religious discrimination becomes the basis for a rigid, coercive and possibly inferior education system in Ontario. As regards choice, both Roman Catholic and non-Catholic are discriminated against. This outline I have just mentioned also reveals the noncompeting aspects of the two systems. Students are compelled to attend a school because of their religion and independent of the quality of service it provides. There is nothing of the free market concept of education in Bill 30.

I summarize this part by saying it is rigid, coercive and indeed discriminatory.

10:10 a.m.

In the briefs you gentlemen have been given, you will find several pages devoted to the question of how realistic the possibility is of a separate school system in Haldimand. If you have any questions concerning that section, you may ask them later. I am not going to talk about that now. I draw it to your attention because there is considerable evidence to support the idea that A. J. Homeniuk, director of education for the Haldimand-Norfolk elementary separate school system, is determined to have a Roman Catholic secondary school in Haldimand at some time. Whether it is next year or five years or 10 years down the road does not matter.

I would like to go on to some general concerns. These concerns were expressed to me by teachers and citizens of Haldimand. Perhaps you have heard some of them before, but I hope you will be kind enough to let me express them again.

Discrimination, in whatever form it takes, is repugnant to free men living in a fair-minded society. When it is legislated by those who profess to be servants of the democratic process, it is abhorrent. Section 15 of the Canadian Charter of Rights and Freedoms expressly forbids discrimination based on religion. Section 4 of the Human Rights Code of Ontario expressly forbids discrimination based on a person's creed. Why then was a young man just out of teachers' college told in Thunder Bay that he did not get a teaching position at a separate school board because he was not a Roman Catholic?

Why will the director of education for Haldimand-Norfolk Roman Catholic Separate School Board be able to refuse promotions to non-Catholics who might come to his tentative secondary school panel as designated persons? Mr. Homeniuk has made it fairly clear that any designated teacher who comes from the secondary panel into his separate system and who is not a Roman Catholic may not expect promotion.

Why would members of the standing committee on social development be surprised if a member of the Jewish or Moslem faith were to become a principal or director of education for a separate school board? I hope that would not surprise you, but it might. Why would the member for Brant-Oxford-Norfolk (Mr. Nixon) be surprised to discover that a Presbyterian might be the principal of St. John's College separate secondary school in Brantford? In fact, he made that very statement a number of months ago.

It is shameful that some persons whom Ontarians have elected to represent them at Queen's Park condone and encourage discrimi-

natory hiring practices in a publicly funded system. Is it any wonder that many in Ontario are indignant about this situation?

Discrimination in hiring practices against non-Catholics might actually be a disservice to Roman Catholic separate school students and their ratepayers. Since approximately 35 per cent of the population in Ontario is Roman Catholic, it is reasonable to suspect that approximately 35 per cent of the graduates from teachers' colleges are also Roman Catholic.

Because of a religious bias in hiring, the Roman Catholic separate school board selects the best from that 35 per cent, whereas the public boards, which do not discriminate, are able to select the best from the entire 100 per cent. Because of a discriminatory hiring standard, the Roman Catholic boards cut themselves off from 65 per cent of the new Ontario teaching talent on an annual basis. Such practices suggest that a person's religion, rather than his ability, is the first concern of a separate school board.

Bill 30 will also place Roman Catholics in an increasingly favoured employment position in regard to teaching. Roman Catholics are seen in this type of legislation to be fit to teach non-Catholics, but non-Catholics are strangely unfit to teach Roman Catholics. That is certainly not in the spirit of a liberal democracy that purports to serve a plurality of cultures.

Roman Catholics may be discriminated against because of this bill. There are those who will openly or quietly question whether Roman Catholics should teach in the public system when they have their own. Roman Catholics who decide to stay in the public system, even when they have been offered employment in the separate system, may feel some pressure to conform from within their own religious group.

The same may apply to Roman Catholics who wish to keep their children in the public system for whatever reason. The discrimination in education consequent upon Bill 30 will merely be a point of departure for discrimination throughout the general population. It would be wise for the standing committee on social development to know what I am sure every schoolboy knows, that those to whom evil is done naturally do evil in return.

Discrimination is divisive and progressively breeds resentment, intolerance, hatred and violence, and I believe they usually occur in that order. The provincial government's sponsorship through grant subsidy of one particular religion whose tenets will be propagated in publicly

funded schools is an example of the union of church and state.

Chapter 447 of the Statutes of Ontario, the Religious Freedom Act, states that it is an admitted principle of this province that all religions are equal before the law. Let not those who have framed and nurtured Bill 30 forget this act or its principle. The Religious Freedom Act also mentions "without discrimination or preference." It also seems rather unfair that non-Catholics will be asked to support a system with their tax dollars which will immediately turn around and discriminate against them in hiring on the basis of their religion.

I turn now to the abridgement of the democratic process. The undemocratic fashion in which Bill 30 has been pushed from stage to stage is reprehensible. There was no consultation with the public before William Davis's announcement caught Ontario by surprise. Individual party members were told to hold the party line on this issue and, since all parties then supported the principle of full funding, many voters felt disenfranchised and, indeed, manifested this resentment by discharging from office that very party which had reversed its former position on the unspoken issue of the election.

The present Minister of Education (Mr. Conway) has advanced funds to the separate boards by an order in council, before the actual legislation, Bill 30, has been passed. This is like hanging a man before deciding upon his guilt. Furthermore, the Liberal government is so unsure of the legality of Bill 30 that it has referred it to the Ontario Court of Appeal, where submissions concerning it are almost triple that of any previous legislation.

J. J. Robinette, the esteemed and reputed first thinker on constitutional matters in this land, has called Bill 30 discriminatory. The content of Bill 30 and the hasty, undemocratic way in which it has been brought to life are not good examples for those young people whom we hope to educate by example and whom we trust will become responsible citizens.

Our first recommendation is to withdraw Bill 30 voluntarily. Our second is, if Bill 30 is passed after being found to be constitutional, to amend it to ensure the following: nondiscriminatory hiring practices, nondiscriminatory promotional practices, open access to all students, and optional religious classes for all students. After these criteria have been met, we strongly suggest the creation of a watchdog committee on hiring practices.

This committee would be empowered by law to impose hiring quotas of non-Catholics in the Roman Catholic separate school system. The committee would allow a 10-year transition period, by which time 20 per cent of the staff in the Roman Catholic separate school system in Ontario at all levels would be non-Catholic. This would permit nondiscrimination to be a reality and not just a promise. A committee of this nature would also go a long way to soothing and reassuring the voters and taxpayers in Ontario.

10:20 a.m.

Our third suggestion is to set up unified school boards which would elect members on their merits and without regard to their religious affiliation.

Fourth, we suggest allowing MPPs a free vote on an amended Bill 30.

Our fifth suggestion is to challenge section 23 of the Ontario Human Rights Code on the grounds that it may be unconstitutional in the light of the Canadian Charter of Rights and Freedoms.

Sixth, if Bill 30 is ruled unconstitutional, we suggest immediately dismantling educational services in grades 9 and 10 that have been extended to the Roman Catholic separate school system.

Finally, ask Cardinal Carter to appear before the standing committee on social development to enlighten the general public as to his role in the funding issue.

In conclusion, Bill 30 is divisive and hostile to the aims of a multicultural society, which is what Ontario is today. It is one giant step backwards, in the words of Dave Bell, superintendent of schools for Haldimand. Bill 30 will harm education and then it will harm society. It is unworthy of the Minister of Education and a disservice to education here in Ontario.

That concludes our brief. I thank you very much for listening to it.

Mr. Chairman: Thank you, Mr. Thompson. It was kind of you to share your thoughts with us.

Can you give us a little more information on Haldimand? Cayuga is the largest town but there are a number of others which have high school facilities. Which are they? What are the sizes of the secondary schools?

Mr. Ishibashi: Caledonia High School has about 390 students. Hagersville Secondary School has 750. I am rounding these numbers off. Cayuga Secondary School has 790 and Dunnville Secondary School has 740 students.

Mr. Chairman: Thank you. The 260 Catholic students whom you have currently identified in

that system come from all parts of the county, I presume.

Mr. Thompson: That is right.

Mr. Chairman: Can you tell me why anybody would presume all 260, or 100 per cent, would want to go to one centralized school in the county rather than one of the high schools which is closer to their community and which, in most cases, would be larger and able to provide more programs?

Mr. Thompson: Are you asking why that may be a possibility?

Mr. Chairman: Yes. I find that quite a bizarre notion.

Mr. Thompson: If you look through the sections of the presentation which I did not address—

Mr. Chairman: I read them.

Mr. Thompson: —but to which I alluded, you will find the director of education in Norfolk is determined to recruit as many as possible. In the section to which I only made allusion, he has made the statement that there might possibly be 500 students in all. We disagree with that because Mr. Fransen did a survey in which he asked the students to list the elementary schools from which they came. That is how we came up with the figure of 260.

Mr. Chairman: I still do not think that answers my question. I understand that is his position, but because it happens to be the position of a director of the Catholic board does not mean it is going to be reality at all.

Mr. Thompson: No.

Mr. Chairman: I come from rural Ontario. I know the importance of proximity for a lot of kids who do not want to be on a bus for hours every day. Why would a kid from the Dunnville area choose to go to a Catholic school in Cayuga rather than staying close to home in Dunnville?

Mr. Thompson: Again, one of the things I mentioned in the section of my brief I did not read to you is the fact that the clergy and bishops are being mobilized to encourage the students to move. Also, there is the possibility that once the separate school system at the secondary level begins to become a reality, or is perceived by the community as becoming a reality, the grade 8 teachers and the guidance people in the elementary schools may not even bother to invite the principals from the secondary public schools to explain the program. They may simply direct the students.

Mr. Chairman: Are there any questions from other members? I know I have been presumptuous before but I think Mr. Davis is definitely concerned.

Mr. Davis: Where do the Roman Catholic students go now if they wish to have a separate school education?

Mr. Thompson: Mostly to Hamilton.

Mr. Allen: How many?

Mr. Davis: You read my mind.

Mr. Thompson: Very few; I believe under 10. It is just too far.

Mr. Davis: In that whole area?

Mr. Thompson: There may be a few that go to Welland, but the number is insignificant at the moment.

Mr. Davis: It is not an area with a large Catholic population. What is the percentage of the population, not the school population but the total population, of the county?

Mr. Thompson: I have no idea what the percentage is but we know that 10 per cent of the students are Roman Catholic and that comes out to 260. Those are our figures. We know those for sure. There may, indeed, be a few more because there are some going to these schools outside of the county but they could not have been taken into account when Mr. Fransen did his survey.

Mr. Davis: Are any of the present high schools operating in jeopardy of being closed because of declining enrolment?

Mr. Thompson: No.

Mr. Davis: Does your board have a closing policy?

Mr. Thompson: No, it does not. We have one small school in Caledonia with a population of 390. They are hoping to expand the school into a new school rather than have that one closed. Caledonia happens to be the smallest school in the county, but it also has the only growing population.

Mr. Davis: You say there are four separate elementary schools in the county with an average of 25 to 30 students that graduate.

Mr. Thompson: I did not state that. That is stated in the brief. That is a quotation from the Dunnville Chronicle that was made by Mr. Homeniuk.

Mr. Davis: That is 100 students a year.

Mr. Thompson: Yes, that is what Mr. Homeniuk says.

Mr. Ishibashi: He is projecting that 100 students a year over five years would be 500 students in the school. That is how he got his 500.

Mr. Thompson: It is incorrect, though.

Mr. Allen: Hamilton obviously benefits in some measure from your region, some outmigration of students, even if the numbers are very small.

One point you made intrigues me. In a portion of your presentation you appear to be arguing that Bill 30 and the educational system at the secondary level promoted by it, or which would be developed by it, somehow runs in the face of a free market in education, or reduces that.

On the other hand, I had been under the impression that OSSTF has an overriding objective, educationally speaking, of the creation of unified school boards which appears to be a complete elimination of the free market. I wonder how the free market relates to what is in your presentation. I do not follow you.

10:30 a.m.

Mr. Thompson: I would be intrigued to know why you feel a unified school board would be conducive to the elimination of the free market idea, because I hope a unified school board would allow the student to choose which system he could go to. The point I am making is that a student will not automatically have a right to decide which school system he may attend. If, in a small community, one school system is perceived by that small community to be superior to another, then it does not seem right that a taxpayer should not be able to say, "I would like to send my child to the one I perceive to be the better of the two." That was the point I was trying to make about the free market.

Mr. Allen: I guess my sense of the unified board structure is confused by the number of models we have had thrown before us. Obviously, there are diverse models and homogeneous models of a unified board. Some models certainly seem to constrict the free market.

Presumably, the logic of the free market in education is the voucher system. It is opened up to absolutely everything that is going, and you take your money and go where you want. That seems to be very much the opposite of the unified board system. I thought that what we had going in Bill 30 and in Ontario generally was, as usual, a sort of compromise between some of those.

Mr. Thompson: I hope you would not support the voucher system.

Mr. Allen: The second question has to do with your recommendations, which you passed through very quickly. You speak about "optional religious classes." I was not sure whether you were referring to optional religious classes in the

separate system or whether you were talking about optional religious classes in the whole of the secondary system, whether separate or public, as something you see as desirable at this time in secondary education.

Mr. Thompson: I think you are making a good suggestion if you are suggesting that the public system be allowed to offer an optional religious credit. The reason I said that taking a religious credit should be optional in the separate school system is that it seems a number of francophones are not enthusiastic about suddenly being required to take a compulsory religious credit. I was thinking of our francophone brothers when I made that suggestion.

Mr. Allen: I see. I gather you are expanding it at the moment in your own mind. You think it would have some real validity and could be helpful from the point of view of the public system to expand a program of religious offerings of a specialist nature in the secondary system.

Mr. Thompson: You are the one who brought this up.

Mr. Allen: I am just trying to see where your comment led; that is all.

Mr. Thompson: It led to your comment and I agree with your comment. I think it would be a good idea. If this had been possible several years ago, we now might not find ourselves in the situation we do.

Mr. Allen: I was not quite sure I followed all your reasoning on pages 7 and 8 with regard to discriminatory hiring. We have heard a great deal about that subject. I wonder whether you recognize under the Constitution the recognition and force of what might be called collective rights as distinct from individual rights. As you know, we have run into this issue in regard to Quebec, the collective right of a people to survive, which entails certain kinds of legislative possibilities regarding language and culture and which sits in a certain tension with the rights of individuals. Somehow one needs to compromise that.

The sections of the Ontario Human Rights Code you referred to embody that kind of encounter. I wonder whether in the argument you are prepared to recognize and accept the legitimacy of collective rights up to a point. That might have some bearing on hiring practices, even while we recognize there is a tension with individual rights that somehow has to be resolved.

Mr. Thompson: I find it very difficult to countenance discrimination of any kind whatsoever. I recognize and appreciate what you are saying, but I think it is really irrelevant when the group we now are talking about is not two per cent of the population that needs protection by legislation; it is a solid 35 per cent.

Mr. Allen: Regardless of percentage, I suspect the constellation of elements that go to make up the country, and lie at the base of the Constitution, affirm a certain collective right that is going to be difficult for anybody to get around, however one tries. That is what I am trying to get at, whether you see in the constitutional base of all that a recognition of collective right that has some legitimacy which has to be reckoned with.

Mr. Thompson: That is what we are doing right now. We are trying to reckon with it, but as I have said before, I can see no excuse for discrimination, especially discrimination based on religion, in the multicultural society we have here in Ontario and in Canada.

Mr. Reycraft: I want to go back to the number of students who might be affected. Do you know if there are any Roman Catholic students in the public elementary schools?

Mr. Thompson: No, we do not know that.

Mr. Reycraft: Is it reasonable to assume that in most counties of the province there are some?

Mr. Thompson: I think it would be reasonable to assume there may be a few.

Mr. Reycraft: So when you use your 10 per cent figure, those students would not be included in the calculations, and the percentage of students in the county who are Roman Catholic is probably larger than 10 per cent?

Mr. Thompson: That is quite true.

Mr. Ishibashi: May I add that we also know there are public students in the Roman Catholic system. We do not know exactly how many of those there are, either.

Mr. Reycraft: Okay, thank you. What is the general enrolment projection pattern in the county? Are enrolments growing or declining?

Mr. Ishibashi: Enrolment is declining and has been declining for several years. We expect to bottom out next year.

Mr. Chairman: Do you mean at the secondary level?

Mr. Ishibashi: Yes.

Mr. Thompson: We have one very fast-growing community down in Caledonia.

Mr. Reycraft: I checked the Ontario Secondary School Teachers' Federation publication on

single-school communities and it indicated the student population of Cayuga was just over 500. I think in your presentation you said it was 790.

Mr. Thompson: I said 800. The figure I had from Mr. Fransen was 796 or 797; it was very close to 800.

Mr. Chairman: Thank you very much for making your presentation today.

Mr. Thompson: Thank you. It has been a pleasure.

Mr. Chairman: Our next presenter is Ms. Picknell, from the French-language advisory committee for Halton.

HALTON BOARD OF EDUCATION FRENCH LANGUAGE ADVISORY COMMITTEE

Ms. Picknell: Bonjour.

Mr. Chairman: Bonjour, ça va?

Ms. Picknell: Je vais très bien, Monsieur.

I will make the presentation in English, because when we made the appointment, we were told simultaneous translation would not be available, and I think the number one rule when you wish to communicate is to use a brief so that everyone understands. However, I am prepared to answer questions in French, if questions do come up in French.

Mr. Chairman: You may deal with the questions in either language. We are seeing changes in committees in the House and we have put in a request to be provided with a simultaneous translation facility, at least in one of the committee rooms.

Ms. Picknell: Mr. Chairman, members of the committee, the role of the French-language advisory committee to the Halton Board of Education, of which I am the chairperson, is to advocate and maintain educational opportunities for French-speaking students and the French-language community within the jurisdiction of the board.

It is therefore within the purview of this mandate for me to speak on issues that are a cause of concern in relation to the fragility of French-language education dispensed in French-language schools in the central part of the province.

French-language secondary education has been officially established and operated by the public school system in Ontario since 1969. In that year, the Halton Board of Education began purchasing education for French-language secondary students from the North York Board of

Education. Students were transported to Ecole Secondaire Etienne-Brulé.

In 1974, Halton students began attending a newly established French-language secondary school, Ecole Secondaire Georges P. Vanier, operated by the Hamilton Board of Education. All of our French-language students, other than grades 12 and 13 Georgetown students who are finishing their education in North York, are currently transported daily to Hamilton.

10:40 a.m.

Ecole Secondaire Georges P. Vanier was established to serve a regional French-language population. This arrangement afforded a more adequate range of subjects in all areas of study and at all levels of difficulty for the small student population.

The Board of Education for the City of Hamilton not only provides viable French-language education for its resident pupils but also provides education for nonresident pupils through arrangement with seven neighbouring boards of education, the names of which you will find attached to the brief.

The service provided to date by the Hamilton Board of Education at Ecole Secondaire Georges P. Vanier has been most satisfactory. The advent of Bill 30 may mean that we will no longer be able to provide comprehensive programs to our francophone students.

Prior to the first reading of Bill 30 on March 19, 1985, the Halton Board of Education's French-language advisory committee adopted the following position regarding extended funding of the separate school system:

"That the Halton Roman Catholic Separate School Board, when applying for grants to provide secondary level education, should have to demonstrate that its initiatives will maintain both the quality and the diversity of existing educational services presently offered to the entire French-speaking population of the area under consideration."

The Halton Board of Education deemed it proper to incorporate the French-language advisory committee's position into the board's impact statement.

Presentations made to the standing committee on social development by various groups indicate that the impact of the proposed legislation will differ in its repercussions on French-language and English-language programs and schools.

Our main objective is to ensure that the quality, diversity and availability of French-language educational programs and services are maintained or strengthened. This brief will

endeavour to clearly demonstrate our concerns regarding Bill 30, specifically in relation to the detrimental repercussions on French-language education.

Our first concern deals with financial support.

The proposed legislation does not clearly define legislative grants, nor does it appear to address the question of corporate or industrial taxation. We are concerned that adequate funding may not be available to maintain or strengthen French-language education. We can only guess at the content of the report of the commission on financing of public education in Ontario.

We therefore recommend that additional funding must be made available to offset the cost of providing French-language education in French-language schools with small enrolments, with a view to maintaining existing programs and services.

Our second concern deals with the French-language advisory committees.

The present legislation allows the election of French-speaking ratepayers—and I quote from the Education Act at clause 262(2)(b)—“who are not members of the board but who have the qualifications required for members of the board, elected by French-speaking ratepayers of a secondary school district.”

The act goes on to clarify the qualifications of a member of the board in subsection 196(1): “A person is qualified to be elected as a member of the board if he is...(d) in the case of...(iii) a member of a board of education to be elected by public school electors, a public school elector.”

Most French-speaking ratepayers direct their taxes to the separate school system due to the fact that the vast majority of French-language elementary schools are under the jurisdiction of separate school boards.

The proposed legislation would transfer a separate school ratepayer's secondary school taxes to the separate school system, thereby disqualifying a French-speaking ratepayer from election to a public board's French-language advisory committee.

Where a French-language secondary school remains under the jurisdiction of a public board, Bill 30 would create an injustice. The French-language secondary school would be administered by the public board without a direct input from the French-language community.

We therefore recommend that where a French-language secondary school is under the jurisdiction of a public board, provision should be made

for an appropriate French-language representation vehicle within the public board.

Our third concern deals with compulsory religious studies.

This section of the proposed legislation could present serious problems. To receive an Ontario secondary school diploma, a French-language student must obtain 16 compulsory credits, five of which are français and one of which is English or anglais. It is current practice that French-speaking students in Ontario be strongly encouraged to select at least four additional credits in English. This practice, however, has the effect of reducing the range of elective academic, business and technical credits.

To impose compulsory religious studies on French-language students would only restrict their career opportunities. French-language schools could become academic only. We do not feel the intent of the legislation is to restrict education opportunities to a section of the French-language population.

We therefore recommend that religious studies should be optional for French-language students.

Our fourth concern is co-operation.

The proposed legislation touches too briefly on French-language schools. Although it provides for the block transfer of existing French-language schools, it does not address the possibility of the establishment of new schools in areas that seem capable of supporting only one French-language secondary school. Many schools are regional. The fragmentation and consequent reduction of programs and services would have a detrimental impact on French-language students.

Bill 30 does not require that the quality and diversity of programs and services currently available to French-language students be maintained or strengthened. The possibility of establishing less comprehensive and less adequate French-language programs is obvious. French-language education could be drastically undermined should school boards be permitted to offer a selection of options in French and purchase technical and/or business education in English. The phasing in of a French-language program would produce the same result.

We therefore recommend that Roman Catholic school boards intending to establish a French-language secondary school or program in an area where only one French-language secondary school seems viable should be compelled to negotiate with all boards of education presently offering or purchasing French-language education in the region and all separate school boards

having the same or part of the same area of jurisdiction as the boards of education before approval of the plan is granted.

Our last concern deals with the legislation.

Clear legislation is of critical importance in regions where the student population base can support only one French-language secondary school. We therefore recommend that, just as the Education Act presently sets out in a separate and distinct part, that being part XI, all matters pertaining to French-language education for French-speaking persons, so should Bill 30 clearly and distinctly stipulate provisions on all matters concerning French-language secondary education.

The intent of this brief has been to demonstrate the need in the proposed legislation of provisions that maintain or strengthen existing French-language secondary education. This measure would then serve to promote the best interests not only of students but of public education in Ontario. Any measure that would detract from or reduce educational opportunities for French-language students is directly incompatible with the stated aim of maintaining or strengthening public education in Ontario.

I thank the members of the committee for allowing me to caution them of what I sincerely believe to be conditions that could have a detrimental effect on French-language secondary education in this province, especially in our area of central Ontario.

I believe the clerk also distributed two letters of support from the French-language advisory committees to the Hamilton and Wentworth county boards of education. I could also mention that only time prevented the four other French-language advisory committees involved with Ecole Secondaire Georges P. Vanier from sending us a letter of support.

Mr. Chairman: For the members, that is item 768A, which has been distributed.

I wonder if you could clarify appendix I, dealing with the French-language student population, before we get into questions from committee members. At the secondary level, with respect to all the different boards with this number of students, are there programs in each of these boards? Are these all students going to the centralized board in Hamilton?

10:50 a.m.

Ms. Picknell: These are the boards that currently purchase education from the Hamilton Board of Education. The students attend Ecole Secondaire Georges P. Vanier.

Mr. Chairman: They come from Waterloo and Wellington as well as—

Ms. Picknell: Haldimand, Norfolk, Halton, Waterloo, Wellington, Wentworth and the city of Hamilton.

Mr. Chairman: I thought that was what it was, but I was not clear whether there were separate programs in places such as Waterloo. Are there any questions from committee members?

Mr. Allen: I am pleased to see you again, Ms. Picknell. I wonder whether you could give us some indication how successful the Vanier school has been in drawing in the students of the francophone families in the region. Is there still a possibility for growth among francophones in the region it serves?

Ms. Picknell: I hope so; I believe so. We have built slowly; even today I would say, "Slowly but surely." The question that always comes into play is one of transportation and distance to the school. There is a higher percentage of students leaving the elementary system and attending Vanier from areas within the city of Hamilton and surrounding the city of Hamilton. It may differ as you move away from Hamilton because of the distance to be travelled or perhaps because there is not the best transportation system for the students.

In Halton this past year, the board not only has provided daily transportation to and from the school but, at the request of the French-language committee, also has been able to offer what we call a late bus. That allows students wishing to participate in extracurricular activities after 4 p.m. to remain at the school and not be stuck for transportation back into Halton county. That bus runs perhaps two or three times a week, depending on the activities taking place at the school.

To answer your question, we are always hoping to build further and further.

Mr. Allen: Do you have a percentage at hand you could give us of the number of students in the elementary French schools in the area who go to Vanier?

Ms. Picknell: I should not guess a percentage. I would say that from Hamilton it is possibly 80 to 85 per cent. As you go into Halton, the closer you are to Hamilton, such as the city of Burlington, you are probably dealing with 60 to 65 per cent. When you get to Oakville and Georgetown, the percentage is less because distance is in play. As well, Oakville has a much newer elementary school. I would say that at the

moment we are attracting at least 50 per cent of the population from the outer districts.

Mr. Allen: That is from the elementary schools that are in existence. Has the Halton Roman Catholic Separate School Board given any clear indication of intent to move towards a French-language secondary school?

Ms. Picknell: It has.

Mr. Allen: Have they targeted a date for it, or is it rather vague speculation?

Ms. Picknell: It is 1988.

Mr. Allen: Have they adduced figures that would suggest the overall take-up from those elementary schools would be much more superior and therefore there is room for two substantial French-language secondary schools in the region, or has nothing convincing been done at that level yet?

Ms. Picknell: I do not believe we are at the point where there are X students who would be interested in a French-language Catholic education. I believe it is at a point where they are looking at the students currently enrolled in their own area who are purchasing education from Hamilton at the moment as well as at the counties to the east, Dufferin and Peel, which do not have a French-language secondary school and purchase from North York.

Their initial plans, submitted last spring, dealt with this matter. I am very excitedly awaiting the second plans, which I think are due at the end of November.

Mr. Allen: The closest French-language school east of Oakville is in North York?

Ms. Picknell: That is right. It is Etienne Brulé.

Mr. Allen: There is quite a spread.

Thank you for those answers. In addition, while we have not dealt specifically with a community with a single French-language public secondary school as a special case, there are some things that need to concern us. We have spent a lot of time on the small secondary school community problem. I would expect our concerns about viability in those areas would directly relate to the case where that happens to be a French-language school.

I am very glad that you have added some other concerns, and particularly your second concern, which we have not had put before us. With the movement of the separate secondary school electors entirely to the separate panel, one puts French school programs in public boards almost totally under the jurisdiction of anglophones, which goes entirely against the recent Court of

Appeal judgement and the objectives of legislation to amplify French governance.

Mr. Chairman: The only thing that has been raised is the question of French governance without the French governance bill going along with Bill 30. There is a vacuum. It was raised in that sense.

Ms. Picknell: I am not certain, but I believe I saw in the newspapers that the Minister of Education (Mr. Conway) had extended the term of separate school trustees elected to boards. I assume the taxes will not be switched this year.

Mr. Allen: That is right; not this year.

Ms. Picknell: However, we will be faced with the problem because of the vacuum the chairman has referred to. This is one of our main concerns, that there will no longer be representation there.

Mr. Chairman: We are also expecting to see French-language governance legislation this fall. A combination of that coming in and our being apprised of the difficulties will, we hope, allow us to deal with it in a complementary fashion.

Ms. Picknell: With the possible changes coming about in our secondary schools, it is not the time to have that vacuum exist even for six or eight months when very important decisions are made and there is no direct French representation.

Mr. Allen: We are very sympathetic to that point of view.

M. Guindon: Bienvenue, Mme Picknell. Cela me fait plaisir de vous voir. Je crois que c'est la première fois qu'on a une présentation du Comité consultatif de la langue française, ou du French-language advisory committee. Cela m'a fait plaisir parce que tout le temps qu'on se promenait travers l'Ontario, on se demandait quand est-ce qu'on les verrait parce que souvent—

Mme Picknell: Il faut toujours se présenter dans le Sud.

M. Guindon: Oui. Où on est, des fois, c'est un peu difficile.

My question is, what effect would Bill 30 have in the long term on francophones in Ontario if it is not amended and if the francophones are not taken into consideration more than they are now?

Ms. Picknell: I would not venture to answer for the entire province. I am taking on a lot more than I should. If you want my honest opinion, the dangerous fragmentation of what has taken years to build—offering half programs, reduced programs, dividing the community—is very apparent. In the end, the student will be the loser, because where the student can possibly follow

courses and obtain an education comparable to the English-language student, we would request the student to make a choice between French-language programs in one system and French-language programs in another. Can we expect both systems to provide what one system could centralize and provide?

I am very concerned about it. It is fragmentation, and I do not think we should take the chance.

11 a.m.

Mr. Chairman: Thank you for attending.

Our next presenters are from the St. Pius X Parents' Foundation in Ottawa, Dr. Villeneuve and associates, with item 769.

**ST. PIUS X PARENTS'
FOUNDATION INC.**

Dr. Villeneuve: Mr. Chairman, members of the committee, it is a pleasure for us to be here today. It is a particular pleasure for me to be able to travel from a town like Ottawa where there is a considerable amount of air pollution, especially around Parliament Hill, and come to this large, clean metropolitan area.

Mr. Chairman: We have a lot of verbal pollution here you will notice.

Dr. Villeneuve: I congratulate you on your perseverance in the task set before you. I am sure you must all be looking forward to the end. The points I will be addressing today are not new or original, and I am sure you have heard them several times before. None the less, the members of the St. Pius X Parents' Foundation think they are significant and, as a token of the importance of the issues, they have charged us with appearing before you.

We had better introduce ourselves. My name is Dr. David Villeneuve. I am a parent who has graduated one child from St. Pius X. I have another who is in grade 12 there and yet another who is starting in grade 7 in a junior high school called St. Marks. I have been associated with St. Pius X Parents' Foundation for three years and currently serve as secretary on the executive committee.

I am accompanied today by Mr. Charles Monette, on my extreme left, who currently serves the foundation as a financial adviser and who has had over the past decade direct involvement with the private sector of St. Pius as financial administrator. Mr. John Shannon, on my immediate left, has also had a lengthy and direct involvement with Pius X over the past decade as a teacher and vice-principal. He is still serving as vice-principal. I asked them to accom-

pany me today in case any questions arose concerning events or procedures at St. Pius X prior to my appearance, or matters that would be best answered by a person familiar with the administration of the school.

The St. Pius X Parents' Foundation totally agrees with the spirit of the preamble of Bill 30 which recognizes that Roman Catholics in Ontario are guaranteed certain rights and privileges with respect to denominational schools and that today a basic education requires secondary as well as elementary schooling. The Catholic population we represent has, as you well know, been unable to acquire access to secondary level funding beyond grade 10. Even funding for grades 9 and 10 has traditionally been less than the funding for those same grades in the public system.

The St. Pius X Parents' Foundation is an organization of students, parents and teachers formed during 1975 to compensate for the lack of separate school funding in grades 11 and 13. In the intervening years, the foundation has provided over \$3 million to the high school in an ongoing effort to ensure that Catholic students in the Ottawa area have access to a completely Christian education demanded by parents.

Maintaining the financial viability of the school has been an onerous task and was made feasible only by the considerable support for Catholic education in the school community and in the Ottawa region generally. In 1985-86 the school population has grown to more than 1,500 students representing about 1,000 families. The foundation has been able to raise the necessary funds primarily through an annual lottery, as well as other activities such as bingos, dances, spring fairs, etc.

The St. Pius X Parents' Foundation is delighted with the legislation that has been drafted and we congratulate those responsible for its evolution. However, there are aspects of the current legislation that are of concern and we would like to draw your attention to them. Specifically, we would like to discuss those features of the bill governing the access of non-Catholic students and the transfer of staff from public boards.

With regard to non-Catholic students who freely elect to attend separate schools, we feel that attendance at religious instruction classes should be unconditional. We firmly believe that students who choose to attend a separate school must accept the philosophy of that school. Since religion permeates every phase of Catholic school education, it is essential that participants

in that system be involved in religious education offered by the system.

Parents willing to send their child to a separate school should also be willing to have their child exposed to every phase of that education. We recognize that where non-Catholic parents have no choice but to send their children to a Catholic school, an exception could be made.

In connection with the transfer of staff from public school boards, we support the principle that no person should suffer adverse effects as a result of Bill 30 with respect to employment. However, personnel problems should be handled in such a way as to ensure the staffing of Roman Catholic separate schools with capable people who choose to work within the separate system and who feel comfortable and at home with the aims, philosophies and lifestyle necessary in such a system.

While teachers and support staff positions must be protected, it is our opinion that only those willing to accept the philosophy and orientation of the separate school system should be accepted. We hope that the transfer of any public school staff resulting from the implementation of Bill 30 can be done on a voluntary rather than on a designated basis.

In this connection we hope that the proposed legislation will be broad enough to permit separate school boards to deal with the situation on a local basis. It is our understanding that there have already been some satisfactory co-operative arrangements made concerning surplus teachers between local separate and public boards in the Ottawa region.

In conclusion, the St. Pius X Parents' Foundation appreciates the difficult task this committee has. We feel that the proposed legislation will correct previous funding injustices and that Catholic ratepayers will be provided equitable funding to the completion of secondary school. The accomplishment of this objective without infringing on the basic Catholic philosophy in the separate school system is a goal that our parents' foundation enthusiastically supports.

Mr. Chairman: Thank you, Dr. Villeneuve and colleagues, for coming in from Ottawa today. I am sorry we were not able to accommodate you while we were in Ottawa but we had a very heavily charged agenda. I do recall seeing Mr. Shannon there. Are there questions from committee members?

Mr. Offer: My question is with respect to the feature of the bill on accessibility for the non-Catholic student. I would like your opinion on whether you believe the separate school

would be threatened in any way in the event that universal access were granted, keeping in mind that the opting out of religious classes would still be limited to what the bill now has. In other words, you could allow everybody access to the separate school, but the students would have to take religious classes unless they fell within the parameters of the bill as it now stands. Can you give me an idea of whether you feel this might pose a threat?

Dr. Villeneuve: I do not think we would object to that. Our basic argument is that religious education should be mandatory. If it is not mandatory for people in the separate school system, you are creating another public school system, and we do not wish to see that occur.

11:10 a.m.

Mr. Chairman: If you would each like to participate and add extra comments, you should feel free to do so rather than having to go into a huddle between questions, which is sometimes a little awkward for you, I realize. Would anybody else like to comment?

Mr. Monette: I would add that at Pius X we have daily mass and non-Catholics are not required to attend mass. In fact, it is voluntary to the student body.

Mr. Offer: I would like to go to your second point. It is your opinion that any teachers declared redundant—I am using that limitation—must accept “the philosophy and orientation of the separate school system.” Could you expand on that phrase, please?

Mr. Shannon: Our recommendation is that, rather than having a designated list of people who are declared redundant, there should be an opportunity for teachers to opt to take the positions in an area that result from extension of the separate school system, and not necessarily that teachers who are at the bottom of the list should be forced to come to the separate school system. There should be a possibility for teachers in the public school system to choose to take that opportunity to transfer to the separate school system.

Mr. Offer: You seem to be in favour of voluntary transfer, which is an amendment that has been put to this committee with some favour many times. My concern is that even if there is a provision for voluntary transfer, after that has all been done, there still remains the necessity of going to designated teachers. In other words, there have not been enough voluntary transfers.

I would now like to zero in on the designated teacher within the meaning of the bill and what

you mean with respect to acceptance of the philosophy and orientation of the separate school system. I will be a touch clearer. If a designated teacher's lifestyle is such that he or she may be a proponent of abortion, pro-choice, does that fall within the philosophy and orientation of the school, keeping in mind that it is the teacher's private affair?

Mr. Shannon: There is no question that it is contrary to Catholic philosophy and so contrary to the philosophy of a Catholic school. I think you are asking me to what extent that individual could publicly demonstrate his personal beliefs. The expectation in a Catholic high school in a separate school system is that the individual would be sensitive to the fact that he is working in a milieu that demands a certain appreciation and understanding of those issues and that he would not try to make a public demonstration of his own personal belief.

Mr. Offer: I understand what you are saying, but does that phrase "philosophy and orientation," to your mind, extend beyond the school hours? For instance, and not only limited to teachers, one's personal belief can be shown through demonstrations that may take place on the weekend. I would like to know the concern, if any, you might have with respect to that.

Mr. Shannon: Speaking now as a parent, I would say it would be unacceptable.

Mr. Davis: What would you say as an educator?

Mr. Shannon: As an educator, I have to follow the Education Act. I think section 235 says, if the individual is within the law in regard to the act, I have to accept him as legally fulfilling his obligations.

Mr. Davis: And would there be no discrimination against him in the classroom or in promotion opportunities?

Mr. Shannon: I hope not.

Mr. Davis: Nor in the staffroom?

Mr. Shannon: I could not guarantee that. Any time you walk into a room where people have a particular philosophy there is going to be an influence on the people in that room.

Mr. Davis: How would they differentiate that he was non-Catholic?

Mr. Shannon: I do not know how they would differentiate. I assume he might make that known as an individual.

Mr. Davis: I understand the philosophy and necessity with respect to the ambience and catholicity of the environment of the school. I

also understand that those who are educators and parents in that jurisdiction want the teachers who move into it, to be either Roman Catholic or to be people who can understand and have sympathy with the philosophy and the educational models and roles.

Because of the extension of funding and the direction of the government, which has indicated that funding would come with certain provisos, do you not think there comes a time of compromise?

Can you not say of the teachers with different philosophies who come into the separate system that you expect them to uphold within the classroom certain kinds of values that are necessary with respect to catholicity and the Catholic faith, but on the weekends those individuals have the right to exhibit and live out the values they believe are important, given the understanding that they are there because of a process over which they have no control?

Dr. Villeneuve: It is important to recognize that, in a Catholic milieu and in the Catholic philosophy, the important ingredient is not only what is taught by word of mouth but also what is taught by example. You cannot teach effectively if you say during the classroom time, "This is what you should be doing," and after classroom hours, you show a completely different example.

There are rules for behaviour outside working hours that pertain to other professions. Public servants cannot get involved in political processes, because they are forbidden. That infringes on individual rights.

Mr. Davis: That is only if you believe that law.

Dr. Villeneuve: Yes.

Mr. Chairman: There are certain limitations, but let us be clear on that: they can participate.

Mr. Davis: That is right.

Dr. Villeneuve: There seems to have been a certain case a few years ago of a gentleman in the Kingston area who was opposed to the metric system. He was a public servant and he lost his job over it.

You have to recognize that in any profession there are going to be certain limitations on your conduct in public, after working hours. I would like to believe that is the philosophy we have, the approach we take, in handling non-Catholic teachers or teachers who did not support the Catholic aims and philosophies completely.

Mr. Davis: I have great difficulty with that kind of direction. I do not think any company or any profession has the right to demand a certain

quality of people's lives once they are outside. Take IBM, for example. Inside IBM, they certainly should fulfil that direction, but outside they have their own lives.

Dr. Villeneuve: But would you agree that somebody from IBM, outside working hours, could go out and promote or advertise 3M or whatever? Of course not, and IBM would not tolerate it either. I know they would not.

Mr. Davis: We are not talking about that. We are talking about lifestyle, and that is different.

Dr. Villeneuve: It is not different, because this is an integral—

Mr. Chairman: Although I am enjoying the debate, I am not sure we are going to get around this one today. Mr. Monette, I will allow you to make a comment and then I will go to Mr. Allen.

11:20 a.m.

Mr. Monette: I would like to add that we have a gentleman on the staff of St. Pius X who I believe is of the Muhammadan faith and is a very valued and respected member of the staff.

Speaking on the second point as a parent who has had students in the school and as a founding member of the foundation, I would not like to see any teacher have the legal right to challenge the practices or the faith, as demonstrated through teaching, in the Catholic schools. That is a little different from what you are talking about with lifestyle. That is a point we feel very strongly about. Someone should not be able to come in and take us to court and make the separate school another public school.

Mr. Allen: I am never quite sure whether we talk past each other or at each other in some of these exchanges. The first question I want to ask is a pretty basic one for the St. Pius X Parents' Foundation. What are you going to do as a foundation when Bill 30 comes into effect and you get full funding?

Dr. Villeneuve: We still have a role to play in an advisory capacity; there are other places to put our support. For instance, we are now in the process of trying to gather support for the building of a chapel at St. Pius X. There are also other functions in which we see ourselves, such as advising the principal, serving as parents, communications and that type of thing.

Mr. Allen: You envisage yourselves still having a little fund-raising to do in the future with regard to some special projects.

Dr. Villeneuve: That is right; not as extensively as in the past, but on occasion.

Mr. Allen: I see.

Mr. Monette: The fund-raising capacity of the foundation is very rapidly falling below the deficits of the school; so the foundation could not continue to meet the deficits. There might be a couple more years and that would be it.

Mr. Allen: You were finding yourselves backing into a corner in terms of your capacity to meet the realities of your financial needs.

Mr. Monette: Yes; absolutely.

Mr. Allen: Perhaps for a moment I could explore the question of student access a little further. I guess I am still working this out in my own head in many respects, even after all these briefs.

I hear what you are saying. There is a certain logic in suggesting that, because of the distinctiveness of the Catholic system with a certain mission and a religious dimension to the educational program throughout the whole program as well as in specific classes, it is an almost unavoidable matter in your schools and therefore, from your point of view, exemptions do not make sense except in cases of necessity.

On the other hand, I wonder whether open access would provide much of a threat. You have a complete Catholic governance structure with assessment-based Catholics, Catholic trustees and hiring capacity; even without the Ontario Human Rights Code exemption and provision, you have a right as employers to hire to fulfil the objectives of the school. The overwhelming percentage of your students will be Catholics in any case, and there will be immense peer pressure. Most people who have opted to go with the system in the past have simply accepted the whole religious program without any legislative pressure on them to do so.

What would we be changing if all those control mechanisms were foregone at the student level and the students simply came and were counselled? The non-Catholic students would come and their parents would talk with the principal and so on. They would all talk about the nature of the school, why the parents were bringing the child and why they wanted him to go there—all that process one goes through. Would an open-access policy have much impact on the distinctiveness of the system?

Dr. Villeneuve: My personal opinion is that it would result in elimination of the Catholic school system as it now exists. If that were going to be the intention of Bill 30, you could do us—people who are promoters of Catholic education—a favour by not passing the bill at all. We would

struggle to keep on with our Catholic schools as they now exist, and we would be happy to do so, but we want the individuality of the Catholic school system to be maintained. By opening access, I think you are just creating another public school board system.

Mr. Allen: Why would very many non-Catholic parents want to send their kids there anyway?

Dr. Villeneuve: It could be that they have a better academic standard or a better football team, or it could be that it is closer than another school or whatever. It could be for a variety of reasons. There are many reasons. There would be a gradual erosion of the Catholic identity of that school. I am convinced of it.

Mr. Reycraft: I want to make sure I understand what is being said here about exemptions in the first recommendation. You say a non-Catholic parent has no choice. Does that mean that if a non-Catholic parent sends his child to a separate school because of a particular course, the child should be granted the exemption if the parent requests it?

Mr. Shannon: Our understanding of the legislation as it is written is that if attendance is because of program, disability or distance, etc.—where it is the only option for the individual student—he would be.

Mr. Reycraft: I have one further question. What about the Catholic parent who sends his child to a Catholic school because of program rather than by choice. How do you feel about giving them the same consideration?

Mr. Shannon: We feel we are giving them a bonus along with that as opposed to an exception. When the student is in the milieu that we feel is education for Catholic students, that has as its basis the triangular link between parent, church and school. While he may opt only for program, maybe he is getting more than he expected.

Mr. Reycraft: How many mandatory religious education courses do you have now in St. Pius X?

Mr. Shannon: Everyone has to take a religion class every year. Currently, there are only two credits allowable by the Ministry of Education, but all students must be enrolled in a religion program.

Mr. Reycraft: What happens when students get to the point where, if they take religious education in their final year, they would be one credit short of the 30 credits required for a graduation diploma and they come and ask to be exempted from religious education so they can

take some other course? Is that given favourable consideration?

Mr. Shannon: No. They are expected to take a religion program. It might require in some cases that they take night school to make up that other credit.

Mr. Bernier: Just to follow up: We heard that about two per cent of the teaching staff in the separate school system is non-Catholic at present and that about three per cent of the total enrolment in the separate school system is non-Catholic. Am I correct in saying that if there were open access, there is fear that would increase tremendously and you would be willing to give up public funding to keep away from open access?

Dr. Villeneuve: No. What I said was, in terms of the provision to opt out of religious education, there may be that percentage of students in the system now, but there is no way that percentage of non-Catholic students is opting out of religious education. They have accepted the system, and they have taken the religious education classes. What I was objecting to was a feature that would allow anybody to opt out of religious education as a matter of course.

11:30 a.m.

Mr. Bernier: Do you have a religious course now in grades 11 or 12 that looks at other religions?

Mr. Shannon: Yes. Our grade 11 program is a world religions program that looks at Hinduism, Buddhism and so on. It is very extensive. Pretty well all our grade 11 students take the course.

Mr. Davis: I have a quick supplementary. If the bill were changed to allow complete access and a right for a student to be exempt from religious education, understanding what you said, doctor, would you recommend to your board of directors that you not accept the funding so as to retain your catholicity? That is an option that exists.

Dr. Villeneuve: I would recommend that we look at other options, and one of those would be the continuing of St. Pius X as a private Catholic high school.

Mr. Davis: Thank you.

Mr. Chairman: As you probably know, this is an option that St. Michael's and Michael Power-St. Joseph high schools here in Toronto have both already moved for, even with the present exemptions listed in Bill 30.

If there are no other questions, thank you for coming from Ottawa. I hope you get a chance to

have a bit of fun in the city today before you go back.

Dr. Villeneuve: Thank you very much.

Mr. Bernier: Fun city.

Mr. Chairman: This can be a fun city, Mr. Bernier. I will give you a list of good places to go for lunch afterwards.

Our next presenter is Eric Baker. Mr. Baker, would you like to come forward? This is item 770.

ERIC BAKER

Mr. Baker: My background to this brief includes service as a public school trustee on two separate boards at different times and some special work in guidance; so I am giving special attention to guidance.

Mr. Chairman: When you say separate boards, do you mean different boards?

Mr. Baker: Different boards.

Mr. Chairman: Thank you. I just wanted that to be clear.

Mr. Baker: They were both public boards. It is perhaps a giveaway—it shows my age—that one of them was 50 years ago. The last one was about five years ago.

I take it you wish me to read the brief.

Mr. Chairman: You may do anything you would like. If you would like to read it through, it goes on the record; it may be a focus.

Mr. Baker: It is very short.

Controversy over funding shows people care about costs and taxes. Our good news is that an overall reduction is possible. Schools offer factual education and personal guidance, in both of which people also care about quality. This brief deals with both.

I listened with great interest to the last discussion, and in the circumstances, I think it should be recognized that if we can accept this concept of a dual role of schools, it is going to be a lot easier to deal with the problems that come up.

Bill 30 offers parallel education in factual education. Its courses lead to the same diploma, and its costs should be comparable; so there should not be any problems about discussion on the factual education part.

However, when we deal with personal guidance, we are dealing with differing beliefs, with feelings and with controversy. Some of that is beginning to come out in the discussion here.

We should start off with the concept that in school we are dealing with two functions: factual education and personal guidance. Some of the

personal guidance is based on facts and some is based on belief.

To deal with factual education first; it is growing, with more courses, more special facilities and more costs. But costs can be cut by reducing duplication. Logically, we should be unifying, not duplicating. Acceptance of this principle would be specially good news for one-school communities.

My recommendation in this respect is that present and future costs of duplication be ascertained so all taxpayers can visualize the available savings.

If we are going to approach it scientifically, we can look at costs and benefits. There might be benefits in some way to balance those extra costs; that is why I am giving you some more detail on personal guidance. I am not saying which has the best guidance, but there are differences.

Personal guidance was an objective of the religious groups that sponsored education in pioneer Ontario. Their guidance leaned on preaching, which varied in form but had the golden rule as a common value.

I might remind committee members—I am sure you all know—that the golden rule is not only a common value between the separate school system and the public system; it is also taught by all major world religions. Slightly different words are used, but the principle is the same; so we have a basis there for an ecumenical approach to guidance.

People still want the best guidance for their children, but experience is showing that even good preaching has not been enough. We have enacted laws—I think it is in the Education Act—that say certain moral values are to be taught by teachers. I do not think that goes quite far enough to support the need for guidance.

Most parents expect some guidance by example. They expect the teachers to be good models to their children. My experience with even one system—and I am speaking about the public system—is that parents value teachers; they like those who set a good example and they criticize those who do not. However, the public system has its hands tied somewhat by the protection of teachers' employment. They can claim the right under human rights legislation to do their own thing, even though it may not be what that community wants projected in front of its students; so there is a bit of a handicap to the public system.

Bill 30 makes a very delicate reference to this in subsection 136l(19), where there is a mention of allowing teachers from the public system to go

to the separate system despite differences in creed. I do not know how far you interpret the word "creed," but lifestyle is an important thing as an example. That is something worth thinking about. The Human Rights Code, mentioned previously, recognizes this also in section 23. I suggest that some aspects of personal guidance are controversial and should be recognized as such.

I will continue with the reading of the brief.

For good self-management, students should know what they do naturally as well as what they should do. This is where I have had some experience. I have been a guest teacher in guidance, not only in schools in the public system but also in one private school. There is a body of facts available to us; the ministry people are aware that there is a body of facts. It is not controversial and it could be helpful. We have not gone as far as I think we should, because it needs top-level sponsorship. Somebody has to say, "We cannot afford to keep on exporting into the cold world kids who do not know how to control their own feelings and how to deal with people."

Preaching of fairness needs support from awareness of biological motivation, and by that I mean feelings and impulses. It would take me too long to go into explanations here, but if anybody cares about this, I can provide lots of background data.

11:40 a.m.

Here there is a case for separate funding—funding for factual education as distinct from beliefs. Our body of facts on motivation has now grown to the point where it can be taught separately from faith, without denying any of our several sincere faiths.

The great social costs from impulsive people collisions—on the roads, in family life, in business negotiations and in group warfare—justify public taxes for the factual part of guidance. This offers our two big school systems a bridge-building opportunity for ecumenical co-operation in search of the best possible guidance program on motivational processes dealing with causes, consequences and controls. In this way, teachers and preachers can help each other without losing freedom of belief or imposing dogma on taxpayers.

You may think my recommendation here is mild. I think it is a step we should take regardless of how far we go on your implementation. The recommendation here is that those concerned with behavioural guidance be invited to make input to a factual guidance curriculum, leaving

all groups free to promote their own culture in their own way, at their own expense.

Mr. Chairman: Is there anything further you would like to add?

Mr. Baker: I would be glad to answer questions.

Mr. Chairman: Because you were ad-libbing as you went along, I was not sure if you had any further statement you would like to make.

Mr. Offer: Thank you, Mr. Baker. It is a point that has not been previously addressed in the way you have today.

I would like to talk about that last recommendation. Could you expand on what you perceive is the factual guidance curriculum that people will be invited to make input into?

Mr. Baker: I would dearly love to if you would give me a couple of hours.

Mr. Chairman: How about on a shorter basis?

Mr. Baker: The short answer is that people have a programmed decision-making system, some of it genetic, some of it from environment, and some of it from experience. To make us function, we have to have drives. We have to have hunger in order to feed and provide energy. We have to have other drives for security. If we feel threatened, we react. The reaction comes from hormones such as adrenalin. I am just touching on this very briefly.

If you have ever dealt with somebody who has been acting strongly on impulse and is hard to cope with, you will realize their feelings are hot. While that is going on, you cannot argue with them. Yet we try to and we keep going like this as a net result.

The control of feelings is to recognize in the first place that they are natural, they have a function, and be mentally prepared for the person himself to control them. This is factual. The endocrinologists can provide you with all the technical data you want. We have not yet absorbed it into our guidance system. I think we should. We are getting close to that.

I realize that the guidance program alone cannot cope with biology, because teachers are not specialists in biology. We wanted to get the biology people involved so the two systems together could do a better job. Then we found that biology texts stopped short of dealing with motivation in some of the respects that are important.

What I am suggesting is that the school system—and I have been working with the department—should obtain and provide resources

on that part. I talked with the people at the Ontario Institute for Studies in Education. They have searched for library resources. They acknowledge that those resources are not adequate.

What it boils down to is that we teach decision-making in the schools on the basis that all decisions are cognitive, that we think about them. You know yourselves that we make decisions based on feelings. I say we should teach both systems to the extent that the facts have been available to us: affective input and cognitive input. If people understand how their feelings are driving them, they have at least a hope of controlling them a little.

This can get pretty deep, but I still think it is worth going into. To come right down to it, I feel rights legislation tends to validate feelings on the same level as logic and I do not think that is right. I think we should be able to distinguish that there are different reasons people do things. In my view, merely because somebody is angry does not give him a right equal to somebody who has thought through the consequences.

I am only touching on things. I am trying to indicate that a lot of material is available. I do not want any group to impose it on another. If we all want good guidance and we certainly need it—if you read the daily news, you will realize people are fighting each other all over the world, not quite as dramatically in Canada as in some other places, but there are a lot of feelings involved.

Mr. Chairman: It sounds to me very much like the stress management course I was put on after my heart attack. I think it would be a very good thing for all the type A stress people on this committee to get hold of some of the biofeedback information Mr. Baker is talking about.

Mr. Offer: As one who has sat on this committee from day one, I understand somewhat what you are talking about in regard to people expressing their feelings. I have no further questions.

Mr. Allen: I appreciate the thoughtfulness of the presentation. I was recalling that yesterday or the day before we had a presentation that told us things dealt with in school should really be only in the realm of logic. You are providing a nice corrective for that viewpoint this morning.

I gather you are telling us that with respect to Bill 30, apart from curriculum, guidance and other questions, there needs to be much more co-operative work in a number of areas of school programming. I gather from your point of view that is one of the more important ones the two systems ought to be working together on, to resolve it more satisfactorily for both of them. Is

that the essence of your thrust with respect to Bill 30?

Mr. Baker: I do not want to limit it to two systems. We have a number of alternative schools. They are not large in population, but the parents who send their children there pay fees. One of the things they are concerned about is teacher modelling. I think the public system can go farther in teacher modelling. We have a whole lot of good teachers. We also have some who have in some way deviated from the public parental concept of what is a good teacher.

We cannot do very much about it. I think we should think about that. One of the reasons for alternative schools is to go where they can get discipline. That word is sometimes used, but I prefer the word "guidance." That is the only thing that makes a difference; they get the same curriculum.

My only difference with what you say is let us not talk about both systems but about all systems. All people should be free to teach their own beliefs in their own way and they do not want that interfered with. However, let us get together on a factual education that really accomplishes what the world needs today.

Mr. Chairman: Thank you, Mr. Baker, for taking the time to come and talk to us today. It is nice way to end the morning.

This afternoon we have George Adams, past president, Ontario Labour Relations Board, and Robert Field, chief executive officer, Education Relations Commission. We have had some substitutions since we decided to bring them here. This has to do specifically with the arbitration sections of the bill. It is section 136m, if you want to refresh your memories over lunch hour.

The notion was that we would have them up individually, but have them both available in case there was some cross-referencing of questions. It is essentially to ask whether this arbitration methodology is a useful one. Is it going to be counterproductive? Does it in any way conflict with what is currently there under those two boards? Do they have any recommendations for us? We will have a very focused discussion this afternoon.

Mr. Davis: Before we break, I wonder whether I could raise a question to which, through you, we might get an answer. It came up yesterday and today and I think in the past, and it has to do with technical education. I refer you to the Technological Studies Guideline, Intermediate and Senior Divisions, 1985, Part A, Policy for Program Planning.

It seems to me that in certain jurisdictions across this province the guidance teachers in the public system have had the opportunity to go into the separate school units and talk about technical programs. If I understood the presentations yesterday and today, that option or that freedom of movement has now been curtailed—at least, they say it has.

I wonder whether you could get clarification for us from the minister in respect to their information on career opportunities, which appears on page 18 of that document, that all students in grades 7 and 8 must be made aware of the career opportunities available through techni-

cal studies. Will that kind of practice continue or has it come to an end?

Mr. Chairman: How is it being done, that kind of thing?

Mr. Davis: Yes. I think it is important, because that concern has come up, and perhaps a little clarification would help us.

Mr. Chairman: All right. I notice the officials taking notes. I will add that to our ongoing list and get back to you as quickly as we can.

The committee recessed at 11:52 a.m.

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Standing Committee on Social Development

Education Amendment Act

First Session, 33rd Parliament

Wednesday, October 2, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 2, 1985

The committee resumed at 2:03 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the committee to order. There will be a slight difference in the procedure I indicated as we adjourned this morning. We will have officers from both the Labour Relations Commission and the Education Relations Commission up at the same time. Each is going to make a statement and then we will entertain questions, comments and interaction back and forth. Perhaps I can invite you to come up and take your seats now.

Mr. Davis: They are all wired, so it does not matter which one you take.

Mr. Chairman: That is right. You have to look at me through most of it, unfortunately. Concentrate on the clerk or somebody else, the good-looking people over at the end.

Take us through the brief statements you would like to make and then we will have a number of questions for you about what we are going to do with the arbitration section of the bill.

LABOUR RELATIONS COMMISSION EDUCATION RELATIONS COMMISSION

Mr. Field: I am Mr. Field and this is Mr. Adams. Mr. Adams can start and then I will make my short statement.

Mr. Adams: I was asked by someone associated with the committee to talk about the adequacy or the lack of adequacy of the arbitration provisions set out in section 136m.

I would just like to say at the outset that I was asked to share my views because I am a former chairman of the Ontario Labour Relations Board. The committee should be aware that today I no longer practise as an arbitrator, but I practise as a lawyer in labour relations matters and generally act for management. Claude Thomson, a partner of mine at Campbell, Godfrey and Lewtas, is counsel for the Metropolitan Separate School Board in the matter that is currently before the courts. I want to put that on the record too.

My advice has nothing to do with my perspective as a management-labour lawyer or as a partner of Claude Thomson. One can talk about technical problems that could arise from section 136m without being partisan. I intend to do so and to be brief.

I recommend to the committee that those assisting in the drafting or redrafting of the act take a close look at the arbitration provisions set out in the Ontario Labour Relations Act and the School Boards and Teachers Collective Negotiations Act. Those arbitration provisions are the product of years of experience in both the Ministry of Education and the Ministry of Labour in creating model arbitration clauses that fit most problems arising in that system of resolving disputes.

Both Mr. Field and I will point out potential shortcomings. They all can be, and have been, addressed in these other statutes where arbitration clauses are prevalent in most contracts. At the outset, if you use these model clauses and put those provisions into section 136m, you will solve a lot of problems that would otherwise occur because of the way the section is drafted.

Going through the various provisions of section 136m, my first recommendation concerns subsection 1. Some attention should be given to the source of law or rules that any arbitration board is going to apply. You will note subsection 1 talks about a dispute with respect to either designation or failure to designate or with respect to the employing of a person so designated that can be resolved by grievance arbitration.

If you have a dispute, what rules will the arbitration board apply to resolve it? A dispute can arise simply over the interpretation of subsection 136l. Going by this, a board, a trade union or an employee could have differing views over the designation process. For example, if a public school board underdesignates, is too conservative, employees might well be concerned. If they were laid off later, it would be viewed simply as a redundancy not associated with this act and they would not have all the job protection provisions. The employees would want to challenge the designation.

The separate school board would be concerned about that grievance because if the employee or

the trade union in the otherwise public secondary situation is successful and gets a broader designation determined, the separate school board will have to take on more people and provide all the job security the statute provides for. They would want to be involved in that arbitration.

2:10 p.m.

The board of arbitration presumably would be resolving the dispute by interpreting the words in subsection 136l, if that is what the government intends.

However, the Commission for Implementing Change in the Governance and Administration of Secondary Education in Ontario has the right to promulgate policies and guidelines with respect to the designation process. There could be differences of opinion between parties as to the meaning of those guidelines. Do we intend the board of arbitration to be resolving that kind of dispute?

Finally, there is the contribution of a tribunal under section 136x, where at the outset if there is a dispute over the plan between the parties for the taking on of new responsibilities by the separate school board, it can be ultimately resolved by a tribunal. The tribunal can make a decision providing for procedures to be followed in the event of a reduction of school staff. You could then have a dispute over the meaning of a decision of a tribunal. It could arise out of the designation process. Does the board of arbitration under section 136m have jurisdiction to resolve a dispute arising under those circumstances?

Most arbitration provisions—and you will see it under the Labour Relations Act and the School Boards and Teachers Collective Negotiations Act—state, “A dispute over...” and then they define what the dispute could be. Under a collective agreement, it is a dispute over the administration, interpretation or application of the collective agreement. That tells the board of arbitration that what it is applying to resolve the dispute is the contract. If anything more is intended, then it is spelled out.

As well, you will see in these other statutes the concept of arbitrability. A board of arbitration usually has the included jurisdiction to determine whether it has the jurisdiction even to proceed. That notion is called arbitrability. If you do not put that in, you end up in the courts very quickly.

If you have an arbitration taking place under section 136m, a school board, a teacher or a trade union might take the opposing position right off the bat: “Arbitrator, you do not have the

jurisdiction to deal with this because you are trying to reach out and interpret a provision of the tribunal’s decision that you do not have jurisdiction over. We are going to move in the courts right off the bat to determine your jurisdiction.”

You want to keep that arbitration going. In the initial instance, you want the tribunal to have the jurisdiction to determine its own jurisdiction, the arbitrability of the matter. Later, if the courts are to get involved, they will pass on the wisdom or correctness of the decision. So subsection 136m(1) should make some reference to the sources of law and to the notion of arbitrability.

In subsection 136m(2), I would recommend that some attention be paid, as is the case in other provisions of the statute, to who the parties could be. The more you start thinking about these controversies that could potentially arise under section 136m, the more you see that you could have a school board and a branch affiliate, a trade union, as a party. You could have two school boards involved in a possible dispute where there has been underdesignation or overdesignation. You could have employees who are concerned.

You could then have in any one of these arbitrations as many as five parties: two school boards, two trade unions, the separate school trade union, the Ontario Secondary School Teachers’ Federation and affected employees. Do you intend that many?

If you look at section 136x, you have specifically defined who the parties will be. I have something to say about the multiplicity of parties when you get to subsection 136m(15).

Moving to subsections 136m(4), (5) and onward, I note the bill in its current form envisages either a sole arbitrator or a tripartite board of arbitration, but you begin by requiring a party to first make an appointment to a board of arbitration. Then the legislation says the parties might make that person the sole arbitrator, but where there is no agreement to that, there has to be another appointee. Next, the two appointees have to choose a third party. I sense it will not work very well because the kind of person you are going to choose as a sole arbitrator is not always going to be the same kind of person you are going to choose as an appointee to a board.

In labour-management affairs, for example, you appoint a union nominee and a management nominee and the two of them, having adversary mentalities, choose a neutral third party. There is going to be a labour-management component to this. If you are before a tripartite board and you are one of the parties, you tend to choose a person

who is more an advocate than a neutral decision-maker to be your nominee, to have your views.

You will not know whether the party on the other side is going to agree that your nominee be the sole arbitrator or whether you are going to get into a tripartite mode of arbitration, so you are likely to always pick the more partisan advocate to be your nominee. That person will never be accepted as the sole arbitrator simply because he is partisan.

If you end up choosing someone who is more neutral and less partisan as your nominee but the other side does not accept that person, you are into tripartite arbitration. If they put in a very partisan person, then that board of arbitration is going to have two neutrals and one partisan person in the other side's camp and you are going to be at a disadvantage, if you follow me. You are not going to have representation on the board. You have put up a neutral person. That neutral person may be too objective for you in the context of the tripartite board.

I would recommend that you set out at the very beginning that the parties must choose between a sole arbitration process or a tripartite one. If they want to go the sole route, let them so elect and choose an arbitrator. If they do not, then they must go the tripartite route and choose their nominees. But they should make a clear choice at the outset which route they are going. Then I think you will get more experience under both. The way it is now, I think you would always end up with tripartite arbitration.

I also note that the provisions are deficient in this respect: there is no power given to the arbitrators to summon witnesses, to entertain evidence, whether admissible in a court of law or not, to authorize the appointment of another person to inquire, to enter premises, etc., all the boilerplate language you find in other statutory arbitration provisions. That is why I say you should have your people look at the Labour Relations Act and the School Boards and Teachers Collective Negotiations Act and you will find there are a lot of powers that, in the ordinary course, have to be allocated to arbitrators so that the process gets off the ground.

In the first case, under this bill, when you try to get a witness who does not want to come, what would you do? You could not do anything because there is no subpoena power here.

2:20 p.m.

My colleague Mr. Field will deal with this because it is of great concern to his budget how you pay these arbitrators. There is no method of payment. In the Labour Relations Act, the

method of payment is by the parties and you split the bill. The two parties are labour and management. The public does not pay out of the public purse.

The difficulty here is that this is a public dispute, a piece of public legislation, not a contract, so there is a real question in my mind whether parties ought to pay. If they do pay, if you have more than two parties, what is the share going to be? What is the method of allocation of the arbitrators' fee? Will there be any control on the arbitrators' fee? Will there be a tariff of any kind? Those things have to be looked at.

There is a lot of model language in the two statutes I have referred to and my colleague has a wealth of experience in administering those kinds of provisions. You have time limits. What happens if there is a breach of the time limits? Are they mandatory time limits or are they directory time limits?

If you do not provide for that, you are going to get a lot of litigation each time one of the time limits is breached. The opposing side is going to say that is the end of the case and the other side is going to say no, it is too technical, and you will be in the courts. The courts will determine whether the time limits are directory or mandatory. If they are mandatory and you breach them, that is the end of your case. You do not go on.

You could provide for mandatory time limits but give the arbitrators the right to relieve against a breach of the time limits, if circumstances warrant. That is a mid-option. If you look at the Labour Relations Act, you will see model language that deals with mandatory and directory time limits.

There is the further problem of the enforcement of the arbitrators' decision. There is no enforcement mechanism provided in section 136m as currently drafted. You need to have a provision for the filing of the arbitrators' decision in the Supreme Court of Ontario. It then becomes a judgement of the Supreme Court, enforceable as such, by way of the contempt powers of the court. You have provided for that in the context of a tribunal decision, but you have not provided for it here, and you have to.

There is also a need to say that the Arbitrations Act applies or does not apply. The Arbitrations Act is an act that might ordinarily apply where there is silence, but it is an act that really supervises commercial arbitrators. It has been some time since I have looked at it, but typically it is not adequate for a more pressing, urgent public dispute that you want done expeditiously and with a minimum of formality.

That is why you will find in the labour relations legislation an explicit exclusion of the Arbitrations Act. The effect of that is to say that Bill 30, or the Education Act, is the sort of self-contained statute under which this arbitration is taking place, so do not look to any other external law. You have to deal with that.

There is the question of an appeal or judicial review of a board of arbitration's decision. What do you intend? Right now, the way the statute is drafted, it would be an application for judicial review, not a full appeal on the merits. The courts use a standard of reasonableness to review decisions of arbitrators. It is unclear at this point what you intend.

Do you intend, when a decision is given, to allow the parties to appeal to a court in a full appeal, a full second-guessing by a court, or do you intend arbitration to be it? We use the words "final" and "binding" and the way courts have interpreted them is that there can be judicial review, not a full appeal.

Some statutes, such as my friend's statute, the School Boards and Teachers Collective Negotiations Act, provide for the power in a board of arbitration to state a case to the court. You might want to put that in. It depends on whether you are going to use highly legally trained arbitrators or whether you are going to use people who are more expert in education.

It also depends on the extent of the source of the law. If it is going to be three or four major areas of the statute and you do not want to have conflicting arbitration decisions, you may want to provide for the power of a stated case to the court. You may even want to provide for the power of appeal, but the appeal should be to the planning and implementation commission that you have created.

The way the statute is currently drafted, you could have a dispute in one jurisdiction and a decision given by an arbitrator there as to what the statute means. But that will not be binding on nonparties, for example, people involved in administering a school system down in Windsor who are involved in another dispute. The same kind of dispute could arise and you could get an arbitration board that might give a different decision.

This is a public statute. Those two decisions could be harmonized if whoever loses in Windsor brings an application for judicial review and the courts choose between the two decisions. Another way to do it is to have an appeal to the planning and implementation commission and it will give a final determination.

The way it is structured now there is the potential for a diversity of decisions and no provision, other than an implicit application for judicial review, to harmonize the differences between arbitration board decisions.

Finally, and this is probably the most complex aspect of section 136m, subsection 15 provides that if there is a collective agreement between the parties to the dispute and the collective agreement does not provide for arbitration of such a dispute, the collective agreement shall be deemed to include subsections 1 to 14. I am quite unclear as to what is happening here, whether the scheme is to provide for two modes of dispute resolution. Go under your collective agreement, if one exists, or go under the statute, but do not do both.

If you go under the collective agreement, that agreement is between only two parties. We have already acknowledged that you could have more than two parties involved in a dispute. It may be that the collective agreement would not apply under subsection 136m(15) because not all the parties to the dispute would be subject to a collective agreement.

You have the further problem that a collective agreement may provide for the resolution of this dispute, but in a way you do not like. What if the parties do their own deal in a collective agreement and it is quite inconsistent with what you want to happen? They have provided for some other transfer provisions and cut down on this or that. You need to decide whether they can contract out of the statute. They cannot and should not be able to.

If they cannot contract out, what if the clause they have in their collective agreement is simply inadequate, not as good as subsections 136m(1) to (14)? You have to provide for a mechanism to allow somebody to get that collective agreement remedied so it has a clause suitable for handling this kind of a dispute.

I draw your adviser's attention to subsection 44(3) of the Labour Relations Act, which provides for this kind of a mechanism. The Labour Relations Act says you have to have arbitration, but your arbitration clause has to be adequate and suitable. If it is not, you can apply to the Ontario Labour Relations Board and that board will make it adequate. You need that.

2:30 p.m.

Another concern I have is that if you go under the collective agreement, the parties are paying. You could have a situation where the union and the employer are quite happy with what happened, but the employee is quite unhappy. The

employee has a dispute under subsection 136m(1), but the parties to the collective agreement that control access to the arbitration provisions do not have a dispute and will not use the collective agreement. Then how does subsection 136m(15) operate? The parties will say: "Subsection 136m(15) prevails. The employee must go this route and we are not having an arbitration."

There is that problem and there is the question of defining what law the arbitrator will apply. What if incidental transfer, mobility, severance and pension issues arise under the collective agreement in any of the transfers? You have the arbitrator applying the collective agreement law and the statute law with the policies and principles promulgated by either the tribunal or the commission.

You have a lot of laws there and if it going to go to a board of arbitration, you ought to be clear that the board of arbitration must apply the statute and the public law as well as the collective agreement. Where there is an inconsistency between the public agreement and the collective agreement, the public law applies and prevails.

Something has to be worked out under subsection 136m(15) to harmonize the law of the collective agreement with the rest of the statute and to make sure that all disputes, if you want them to go under a collective agreement, can go under that collective agreement. Otherwise, you are going to have nonparties to a collective agreement who could have a dispute under subsection 136m(1) and yet not get the arbitration clause moving because they do not control the arbitration mechanism.

Those are my comments.

Mr. Field: I do not have the legal background Mr. Adams has and mine is probably a more practical look at the section. The Education Relations Commission has a peripheral part in this. I should say at the outset that the commission welcomes this role and sees this section as a very positive way of dealing with disputes that may arise.

One of the first things that came to my mind when I read the section was, as Mr. Adams asks, who pays? All the people employed by a school board are covered by this legislation and not all the employees of a school board are represented by a collective bargaining unit. I am thinking of the middle management people such as a purchasing manager who is not represented, or secretaries and support staff who are not represented by a collective bargaining unit. Their positions may be jeopardized because of a

transfer of students. How do they get into the process and would they be expected to pay?

That is one point I want to make and I respectfully suggest something for your consideration. Mr. Adams has pointed out many of the legal problems. We at the commission wondered about a situation where the planning and implementation commission sets out the guidelines for designating people as designated persons. Could that committee put out a time line?

Let us look at a scenario something like this: The committee recommends that by May 31 the board designates the people. Within a specified time, anybody who has a problem with the designation, who either wishes not to be designated or feels he or she should be designated, has so many days in which to launch a grievance. The commission wonders whether it would be possible to have a number of well-known arbitrators who are appointed to a panel and during the time when these grievances would normally be processed, those people would be asked to make time available.

One of the problems with arbitration, to be very honest, is that good arbitrators are busy people. Especially when you have three people, you have to arrange a time frame for three people and arbitrations can take a year or more to be resolved.

We wondered whether in our scenario a person having a grievance would file the grievance with the school board or with the other party—as Mr. Adams says, there may be some difficulty defining the other party—then file the grievance with the Education Relations Commission and have the commission set up an arbitrator from a panel of arbitrators. They would be top-notch arbitrators, acceptable to all the parties, and the grievance could proceed that way.

There are several advantages to this scenario: (1) You will always be sure you are getting a top-notch arbitrator; (2) it would be quicker, done in a shorter time frame; (3) it would probably be cheaper, if we were talking about one arbitrator, and (4) there would be a consistency of decision-making of awards if a small panel of five to 10 people were used as arbitrators in this kind of situation. We respectfully suggest that you might want to look at something like that. That is one of the scenarios we see.

One of the problems a school board might face is something like this: Approaching the close of the school year, we have four teachers who become redundant for whatever reason. It may be a transfer of students to the schools operated by

the separate school board or a natural decline in enrolment. The first problem the school board administration would have is which of the four become designated because of the transfer of students.

Suppose that can be solved in the first year somehow, by the collective agreement or whatever. Now we have two people who are designated and two who are redundant and take whatever provisions the collective agreement makes available to them. So much for the first year.

Let us assume the same thing happens the second year. Four teachers are now redundant. Let us assume again two are redundant because of transfer of students and two through natural decline in enrolment. The two who are not designated would probably turn around and say, "Yes, but I have more seniority than the two people you designated last year." That is a practical problem that I see arising.

With the Education Relations Commission scenario that I put forward, who pays? The government pays, of course. Obviously, if the ERC appointed the arbitrators and paid the arbitrators, then it would be the government, through the ERC, that paid for the arbitration.

As Mr. Adams has pointed out, grievances would arise from the legislation rather than from a collective agreement. Of course, not all the federations would be willing to pay. It might be a matter of, "Since the grievance does not arise out of the collective agreement, why should we pay?" Again, the costs fall to the individual. To an individual who is not represented by a collective bargaining unit, the costs would be too much to risk to launch the grievance.

That is my short statement.

Mr. Chairman: Thank you both very much for the very thought-provoking problems you have noted and some suggestions for dealing with them that might come up as well.

Committee members, are there questions on any of the matters that have been raised?

Mr. Davis: In your opening statement you indicated that there was a possibility—I will give you the scenario and then you tell me if you see it as a problem. One of the school boards came before us the other day. Because of the number of students who had transferred, there were 25 teachers whom they decided were surplus to the system as a result of the extension of funding. The separate school board actually hired six teachers, bringing the number down to 19.

2:40 p.m.

Because of the process of four-over-five leaves and people out on special assignments, the public board was able to contain the additional 19 teachers within its own system. Next year, those teachers on four-over-fives and special assignments come back. Now you have 19 teachers there. Could those 19 teachers grieve a year or two years down the road, if they were declared redundant as surplus teachers, even though their redundancy in the very first place was because of the extension of funding, but they were not picked up?

Mr. Adams: The response to that question really does depend on legislative policy. From the way the legislation is currently worded, I think the word "solely" is used; that is, the redundancy must relate solely to funding, and any employee would have to bring himself or herself within that definition. It could arise in year two or year three, whenever they come back into the system.

They were redundant initially and they continue to be redundant as a result of funding, but the further out it gets from the initial cause of redundancy, the more difficult it is for the employee to prove that his or her redundancy occurred as a result of the funding and not as a result of declining enrolment. As we move into year two, year three or year four, and a teacher is coming back off leave, etc., there may be a problem of proof.

From a policy point of view, I would think the statute intends an employee to be protected for whatever period of time is reasonable. It would not be simply, "If you happen to be on leave, you are good for a year, but next year you are going to be redundant and not protected by the statute, even though the cause is the same."

Mr. Davis: The reason I ask the question, if I can pursue it a bit, is that in your statement you said those entering the grievance could be either a school board or federation or an individual. Because they do not bank those 19 positions and the coterminous public board has said, "We can accommodate them within our system," then it is possible three or four years down the road that one of those 19 teachers could become surplus to the system.

If the positions had been banked, a teacher would be protected, but since they are not banked, he is not protected, but in reality, he is dismissed. Even though it is redundancy, he really would have been protected if those positions had been banked. That is where it really gets complicated.

Mr. Adams: Those are things you have to look at. As well, I think Mr. Field raises some significant points about the relationship between seniority under a collective agreement and the designation process under the statute. Because funding is coming in on a step basis, there will potentially be situations where someone is designated as redundant under the statute who might not be entitled, where that is a preferred position to be in.

That person gets it in year one, but in year two someone with greater seniority is then declared redundant. There simply may be a conflict between the rights of the two people. The whole timing of the designation process under the statute may not be consistent with preferences accorded to employees in redundancy situations under the collective agreement.

I think we want to be certain what we are doing. Are designations to take place with regard to seniority, or is designation a good thing under the statute because one is guaranteed employment for a period of time?

I will conclude by saying there is this problem about employees who believe they are redundant because of the funding, but they are redundant for some other reason such as declining enrolment. Are these easy things to prove?

Mr. Davis: I was just going to say to Mr. Field that if he is looking for a small panel of 10 experts who can deal with Bill 30, he need not look any further.

Mr. Chairman: I am not sure we want to say, "Ready, aye, ready."

Mr. D. S. Cooke: What is their per diem?

Mr. Field: Mr. Chairman, let me say we are not really looking for more work at the Education Relations Commission, but we see a role that we could productively play in the process.

Mr. Chairman: Some members, and certainly a number of deputations, have made that point.

May I ask you, just to follow up on this designation question, something that is not in the act now but that has been raised by a number of people on both sides of the issue and has been accepted by unions and management on both sides. It is the notion that, in addition to having the straight designation of people and the difficulties there are in that identification, there be a voluntary designation mechanism; that one designate a position rather than a person and then people can volunteer for that position. This could obviously then circumvent such things as seniority.

Given that you have not seen that at this point, do you have any comments on how it might complicate matters under the arbitration side of this, which we will be looking at in terms of amendments to section 136m?

Mr. Adams: I would say—and I think it is a helpful rule—think of the employee who is going to be declared redundant only for declining enrolment purposes and who is declared redundant after designation has been accorded to people who are more junior. I am sure that person is going to have a felt grievance that, "Boy, I should have volunteered to be designated," or "Designation should have been offered to the more senior people first."

There is going to be a little band of the least-junior employees after the designation takes place—and designation gives one job security—where the next group of least-senior employees goes right out the door when they are laid off because of redundancy, because of declining enrolment. At that point they are going to say, "Gee, I wish I had been designated."

I think the ability of people to identify themselves and volunteer, or the ability of the parties to structure the designation process, is important, because they will try to accommodate these preferences, try to accommodate seniority and to give some of—it would not be the older people, not the least senior—the next-tier group a chance to get into the designation process and volunteer. But it is going to be complicated.

Mr. Chairman: Do you have any further thoughts on that, Mr. Field?

Mr. Field: No. I subscribe to the same views as Mr. Adams.

Mr. Chairman: If your arbitrators were put in the position of being given a responsibility under this section, that sort of thing could be handled.

Mr. Field: I think so.

2:50 p.m.

Mr. Allen: Just to pursue this in order to clarify it a little bit, we talk out loud about some of these things; I am not sure where some of them go. My sense of that phasing of the designation position, volunteering on to the designated list, insufficient volunteers and then turning to redundancy and surplus staff by seniority, would seem, at least in the first instance, to suggest that the likelihood is that if there were not sufficient volunteers, the numbers you would then automatically want to tag—since you are not looking for people lost in the first instance; you are looking at positions—would be the senior people on the surplus and redundant list as the persons

most worthy to be considered among those who have been displaced by enrolment shifts of all kinds, but who, since you have to match up numbers of losses in positions, you would take first in order. Is that a sensible way of viewing and working through that problem? Do you see any difficulties with that?

Mr. Adams: I think that is so, with the caveat, what about the next group of people to be made redundant because of declining enrolment? They have greater seniority because they have jobs. As I understand it, the designation process is such that, once designated, some real job security flows from it. However, my understanding, given my familiarity with the statute, will be faulty.

That would be greater job security than might be accorded to the next batch of people who are currently employed during the designation process, but after it are then laid off because of declining enrolment. They would say: "I am more senior than those people who were initially accorded the right to be designated, but that was last year, and I did not want to be designated because I had a job. Now I wish I had been given the right."

I think there is a lot of sensitivity and that quite a lot of employee antennae are up about redundancy. People who know they are about to go out the door have a good sense—

Interjection: They would volunteer.

Mr. Adams: They would want to volunteer before other people came out the door and they would be saying, "I have greater seniority and, therefore, greater right to be designated." Yet a person who is out the door and has been suffering from unemployment for some time will look at it in a different way. You would say to him: "No, you ought to have the right. You have been out of income the longest."

I think there are some basic policy considerations about how you integrate seniority with this notion of entitlement to be designated.

Mr. Allen: We have had some suggestion that this section should say quite clearly who represents the parties in these disputes. Is that your sense as well? I do not think anyone has really mentioned that. Perhaps I did not have my ears open at that point. Who represents the parties?

Mr. Field: We see that as a problem because, as I pointed out, the legislation, as I read it, contemplates all employees. You do not have to be a teacher. Many of the employees of a school board are not represented by a collective

bargaining unit. The point is, how do they get into the grievance procedure and how are they represented?

Mr. Allen: So you made that point. I did not quite hear you saying—

Mr. Field: We see that as a problem.

Mr. Allen: This is the point. Okay, I have it.

Mr. Chairman: One of the notions that has been raised by a couple of the unions involved has been that, in designating people after the positions have been identified—if we move to that two-step approach in designation—we should add a clause or wording to the effect that not only someone who is currently eligible or appropriate to that position, but someone who could become eligible for that position, could be designated. He or she could become eligible by the fall when school starts by taking an upgrading course in math, or whatever subject it might happen to be. Therefore, not just someone who already had that math degree or whatever could be designated to that specific position.

Does that cause any difficulties? Is there anything we should be alert to in thinking about adding that kind of flexibility?

Mr. Adams: There is a problem of the point in time in which people are designated and are sort of a moving target as far as qualifications go. The statute talks about this, though I am not familiar enough with it to be able to flip around in it. It says the Roman Catholic school board shall fill positions having regard to qualifications. My question would be, if you are designating someone, does the designation relate to qualifications? It probably does not. I guess you are designated because you are redundant.

After you are designated, you then have an entitlement to be employed if you are qualified for the job; so you would want designated people to be upgrading themselves if they could so that they would be able to qualify for jobs that are available. I do not see that as a problem.

Mr. Chairman: We would be talking about a fairly short term. I presume we would have an identification of some sort at the beginning of the summer on the capacity to upgrade within only a couple of months.

Mr. Davis: Would part of the problem be alleviated if the teachers who are designated were somehow designated as, I will use the word "secondment"—I cannot think of a better one—and they go in there for a year rather than move into the separate school jurisdiction as permanent employees? At the end of that year, they go back to their own board and may be seconded again.

That allows the person with more seniority who is made redundant the opportunity to move in. In the natural flow of redundancy that person would fall out because of the declining enrolments rather than because of the transfer or extension of funding. Or would they still have the right to grieve, the one who has now been seconded and moves back across and drops out?

Mr. Adams: I think you are alleviating some of the problems and some of the inequities we discussed. But at the same time, what you are doing is you are not having a complete resolution of this at any point. Indeed, what you are doing is you are almost merging the two systems with respect to redundancies caused by the statute.

I do not know what it would do to school boards and the planning process because this approach would allow the statute to continue to make assessments of whether your redundancy is a result of declining enrolment or as a result of the statute. There would not be any predictability to it; so you would have these assessments being made and comparison being made. That is a manpower—

Mr. Davis: That happens now in Metro Toronto when a surplus teacher goes into a surplus teaching pool and can be seconded by one board for the year. They go back to the sending board, go through the same process again, and at the end of that process could still be in a surplus pool and still go into another board. That can go on for ever.

Mr. Field: There is another problem with that in a way. I know the pool of which you speak. One of the problems one faces with that kind of flow of teachers is this. Let us assume the teacher is a technical teacher with a machine-shop certificate who has become redundant because the students are no longer selecting the machine-shop program or because they have gone to the other board.

They are excellent teachers, but the problem is that many of them do not have the academic education to requalify in the way the chairman is suggesting. A person may have a grade 10 education and be an excellent machine-shop teacher—please do not misunderstand me—but it will be very difficult to upgrade that person over the summer to accept an academic assignment because what you are looking at is a university degree. I assume at the beginning, Roman Catholic separate school boards will be operating more of an academic program than a technical program.

3 p.m.

Mr. Davis: Unless you drop the university-degree qualification and grandfather those technical teachers as of now into the system, I guess it has to be the government—I cannot think of anyone else—that then takes those teachers for the year and helps them to upgrade their qualifications in order to be academics. I do not think you need a university degree to be an academic teacher. That is a qualification we have now insisted upon, so there might be a possibility to do that if the Minister of Education (Mr. Conway) saw fit to do so. But I can see what you are saying; you could be revolving around in the pool.

Mr. Chairman: Do you not end up solving one problem, as Mr. Adams says, but creating a long-term instability? The attractive thing about the designation process as it is now for Ontario Secondary School Teachers' Federation members is that there is this guarantee of job protection, which is unlike anything else, as other people have mentioned.

What you do in this case is to take it away from the individualized protection of those people who are designated—once designated, you are safe—and make it this floating pool, which then makes—

Mr. Davis: You could put a time frame on it, saying that after a period of, say, three years, the teacher has the option of moving full-time into the separate school as a member of the Ontario English Catholic Teachers' Association, while in that flow-through he still is a member of OSSTF.

My understanding is that somebody has to do some very creative thinking in the whole education field about teachers made surplus by declining enrolments.

Mr. Chairman: And the Ontario Schools, Intermediate and Senior Divisions guidelines.

Mr. Davis: And OSIS. You may wind up having a surplus procedure something like the one Metro has that is province-wide, where you are floating people in and out.

Mr. Adams: It is an interesting and difficult phenomenon, because usually no one wants to be surplus or to be declared redundant, but if you were ever close to being declared redundant, you would very much want to be designated. If you are declared redundant because of the bill, you have to get yourself out of thinking that this is a disadvantaged position to be in; it is a preferred position to be in as opposed to that of a declining-enrolment redundancy.

Then you realize that the parties have always looked at redundancy as a question to be

allocated by seniority. A lot of job security benefits are related to seniority. Therefore, is the designation process going to be according to seniority? Because it is happening annually over a period of time, fairness may dictate the kind of situation you refer to, although it is a big administrative headache.

Mr. Field: There is no doubt that these problems will manifest themselves at the collective bargaining table, because the federations are going to want to have some control over the designation process so they will be bargaining with the school board about how you get to be designated. I am sure this will become the subject of collective bargaining as well.

Mr. Allen: If I heard Mr. Davis and the responses correctly, it might be useful to think concretely about splitting the difference, in a sense. You do not include persons who have moved across and taken positions on the other side as part of this movement in a pool, but you treat all of the remainder who would have been designated as a number entry in the ledger, in effect.

In this case, there would be no ongoing group of individuals who are given designated protection, but there would be a number of positions in the system that would none the less be protected, and cumulatively protected as the years add them on. One can use those numbers to protect real individuals in real ways as you go through the process.

Mr. Chairman: Can you put that into a concrete example? Are you suggesting, as in the example we were given, where 25 people were identified but only six were taken up this year, that the other 19 would stay on the list and be protected? Is that what you are suggesting?

Mr. Allen: That year, 19 positions will be protected. The next year you might end up with another 25. This time 10 go over and the appropriate number from that former list might be included in that. Some of the people who are now displaced, however, would have greater seniority, as you pointed out, than the ones on the previous list.

If you treat them as straight individuals, then you are getting into that problem caused by the seniority; but if you simply keep adjusting your numbers of positions that have been displaced and relate them to your redundant list in a flowing fashion, you might have people moving in and out of what would be designated positions but would not be called that and would not be individually given those protections. System-

wide, however, you would have the same number of protections to persons.

Mr. Chairman: I am not sure if it is just because of my incapacity to deal with any complicated mathematical notion that I cannot grasp this notion as well.

Mr. Allen: We will have to work it out with the numbers.

Mr. Chairman: I am not really clear on how that would work in the long run with regard to being any more fair than the seniority pool essentially being suggested by Mr. Davis.

Mr. Allen: The operable factor in keeping people on and off, in and out of this remainder, would be seniority.

Mr. Chairman: Any comments from either view on the notion? You are playing it safe.

Mr. Allen: I would like to hear from the teachers' federations which model they prefer. Would they prefer a free flowing of people moving in and out of that growing number of designated—in a sense persons; that is not designated capacity.

Mr. Chairman: Is this an election year for OSSTF?

Mr. Allen: A double- and triple-tiered seniority thing is going to happen if we attach designation to individual, discrete people year by year.

Mr. Chairman: I am sure we will be hearing from the federations on it.

Mr. Allen: Is that really a hard choice?

Mr. Chairman: Yes, it very well may be. I said facetiously, "Is this an election year?" You may not want to put yourself on the line on it in an election year.

Mr. Davis has another point.

Mr. Davis: To try to put my limited thinking powers around what Dr. Allen was saying about those 19 positions we talked about, I will try to put it in a simple perspective. Let us say four of those positions were geography, eight were history, four were math and three were French. Those subject areas would continue to revolve but the teachers going in would be different. That is what you are saying. How long will we hold them?

Mr. Allen: The numbers would have to correspond throughout the whole period and beyond in terms of the numbers of pupil-teacher-ratio designated positions lost year by year.

Mr. Davis: That ends in 10 years. Whatever you have left at the end of the 10 years would be for ever.

Mr. Allen: They would then have to be provided for in the public system and the transferred teachers would be protected in the separate system. That would end the process.

Mr. Chairman: It is very hard to pick up Mr. Davis's comments when he is speaking into your mike.

Mr. Allen: I tried to wave him in but—

Mr. Davis: That is all right. I am not sure I want it recorded.

Mr. Chairman: But it is an interesting concept that has its own complications.

Getting back to a matter Mr. Adams raised earlier, the question of the numbers of parties, others have identified for us the whole question about it not being clear who may be parties. You made a comment about some sort of controls of the number of parties. Maybe you thought there were difficulties in having too many parties involved in arbitration. Have you any further thoughts on it that you would like to share with us?

I was not sure if you were saying, "Be careful about identifying all these people as parties, so that you might have six players coming before an arbitrator," or whether you were saying, "Make sure you have covered everybody who should be covered."

3:10 p.m.

Mr. Adams: I am saying, "Make sure you cover everybody you want to be there." The way it is now structured, whoever drafted it is thinking of a typical two-party dispute. If you look at subsection 136m(2), it says "either party", and yet if we think of half a dozen scenarios we can see that more than two parties could be involved in a dispute.

You could have a board taking one position, a branch affiliate taking another, an employee taking another, the separate school board being very concerned and being an affected party because of the implications for it and therefore wanting in on the dispute, its trade union and the branch affiliate wanting in, and potentially even other employees in the public school system who wished to be designated on the basis of their seniority but were not designated because the parties agreed to some other rule. For instance, perhaps they went on the basis of age and not seniority.

Mr. Chairman: Or perhaps they went on the basis of which position.

Mr. Adams: Yes, or which position. So you could have a great number of parties. When I looked at the statute initially, it seemed to me that

had not been made clear, particularly when there is a reference to a collective agreement under subparagraph 15. It looks as if the Legislature intends you to go off under a collective agreement.

Under a collective agreement you have only two parties, labour and management, yet other people who do not have access to that arbitration mechanism could view themselves as parties and as having a dispute but they cannot get going under the applicable collective agreement. All I am saying is, watch out for that and do what you want to do but do it directly. The same thing applies with this seniority. Now that it is apparent it is going to be a problem, I do not think there is any particular formula, but you can deal with it and make your call.

I am saying the same thing about parties. If you intend to have only two parties, then you had better name them. If you do not, then a collective agreement is not a very good place to be doing it unless you tell the arbitrator that all of these other people should have access, trigger the mechanism, and then you can have an arbitration under the collective agreement.

Mr. Chairman: As you say, there could also be several collective agreements involved with the Ontario English Catholic Teachers' Association or Ontario Secondary School Teachers' Federation. One of the things that has not been raised with you today is the possibility of elementary panel teachers also having some recourse under this act, which could add other collective agreements.

Mr. D. S. Cooke: Mr. Field recommended to us ways in which to pay for the arbitration, but there is a whole series of people who will be parties to the arbitration, many of whom may not have unions that represent them. Many unions may not feel it is their obligation to pay for this arbitration process or there may be a disagreement between the union and the individual on whether or not they should even go to arbitration.

Do you have any recommendation? Who did you envisage would pay for the representation of the individuals?

Mr. Field: Again, my suggestion was that the Education Relations Commission would pay the arbitrators. Obviously it gets its funds from the provincial government. In essence, what I am saying—

Mr. D. S. Cooke: But what about the representation of the individuals as well? Would the ERC be responsible for picking up the legal fees of each secretary, teacher or caretaker who has to go through this process?

Mr. Field: No, I am afraid the individual would be on his own for the legal fees, which obviously are substantial. Arbitration is not an inexpensive way of resolving a dispute. No, my scenario was to actually pay the arbitrators.

There is another thought we had. Normally we hear the loser pays in arbitration. We wondered whether in this case it should not be winner pays because then if the individual is successful in the arbitration and arrives on the designated list, at least he has a salary, is protected, and is not out of a job. Perhaps this should be a case of winner pays.

However, I am thinking only of the payment to the arbitrator. The legal fees are another matter.

Mr. D. S. Cooke: It is still something we have to end up doing.

Mr. Chairman: It is especially hard in cases where there are individuals without union representation, where the costs could be quite high, especially in a multiple case where everybody else is being represented but the individual is not. How does that person compete against the other kinds of resources that are available?

Mr. Davis: Could I just ask a question for clarification? Is it normal for a government to include something like subsection 136m(15) which supersedes the collective bargaining process by simply saying if you do not have it in we are going to put it in for you?

Mr. Field: Yes. The process is in the School Boards and Teachers Collective Negotiations Act. If there is not a grievance procedure in the collective agreement, the act provides one which is deemed to be in it. Yes, that is normal.

Mr. D. S. Cooke: I think Bill 179 has that.

Mr. Chairman: I thought Bill 179 was that provision.

Mr. Adams: Yes, exactly. There can be compulsory no-strike and no-walkout clauses. There are a lot of provisions that have to be in collective agreements by law and they are increasing in number.

Mr. Chairman: I have a question of Mr. Field which comes out of something Mr. Adams raised. He was suggesting that maybe the planning and implementation commission could be the appeal if we want an appeal from the arbitration decision; or we could go from that if we want that. In your view, would that be seen as necessary for due process to be filled? Does there have to be that next level to go to for the charter and due process to be handled?

Second, would it be appropriate for the planning and implementation commission to be

that body if your commission becomes the commission that does the arbitration? It seems strange to have two quasi-judicial bodies, one which would actually be second-guessing the other rather than going to the courts at that stage. I do not know if you have any comments on that.

Mr. Adams: I do not think due process, either under the charter or the common law, requires there be a second layer of litigation called an appeal or what have you. The bias in labour relations has been that decision-making and pre-resolution of this kind be speedy, informal and inexpensive. A second tier is always more formal, adds expense and slows down the process. You have to have a strong value of what you are trying to achieve by having another round of litigation.

I am not recommending there be a second round. I simply point out there is the possibility of diversity of decisions through the system as there are different arbitrators.

I thought my colleague made a useful suggestion when he said that if there was a panel created by the Education Relations Commission—and the ERC would simply be an appointee mechanism—of a finite number of arbitrators who would develop some expertise and naturally defer to each other as these decisions are rendered, it would quickly build up a high degree of consistency and predictability.

You would have to make a judgement about that. The alternatives would be a stated case to the court, or you could rely on judicial review; or you could have a very informal appeal, but nevertheless an appeal, to that planning commission, which would devise a uniform approach and really pick between what the arbitrators had done and say, "This is the way we would like to go."

Mr. Chairman: Of all of those approaches, I find very attractive the idea of a single arbitrator, taking a pick from the pool that develops that expertise and consistency rather than going through the election of people to a tribunal.

What would you suggest in terms of anything further we should be doing to try to get consistency? Is that enough or should we be moving towards this notion of having another judicial review or to the planning and implementation commission for its overview?

3:20 p.m.

Mr. Field: I think you can get a degree of consistency. Obviously, from our point of view if we appointed the arbitrator, and all the provisions of the Arbitration Act applied and if all the normal channels that would be available to

someone who wanted to appeal an arbitrator's decision were available, I think that is how we would envisage it, as would be the case in the normal course of events with the grievance award. Of course, with a single arbitrator it is also available for judicial review. We just see that mechanism working the same way as it would now under grievance arbitration.

I think what my colleague suggests is the planning and implementation commission could serve as a review body or a second layer of appeal, but I think we see just the normal process of judicial review you would have anyway with a grievance arbitration.

Mr. Chairman: There might be some sympathy for that position in the committee, in that we have had one body that thought the commission had too much power as it is and that to add an extra sort of review process might be just adding further insult.

Mr. Adams: In these circumstances, judicial review would provide the court with the obligation not to defer to the board of arbitration but make its own call as to what was right or wrong. Under a collective agreement, the standard judicial review is simply to ask the question, did the arbitrator act reasonably or is the result—this is intended to be the same test—patently absurd?

When an arbitrator is interpreting a public statute, not a domestic collective agreement, then the question is was the arbitrator right or wrong? The courts take on the authority to determine in a definitive manner what this act means. That is what you will have in judicial review. There will not be deference to these arbitrators. They will be the first round, but on a judicial review application the courts will make the final call as to what this statute means.

Mr. Chairman: Are there any other questions from members?

I have one to do with the whole time problem. Mr. Adams suggested a couple of means of ensuring this does not drag on ad infinitum, and we were concerned this be as quick a process as possible.

Mr. D. S. Cooke: Unlike the committee.

Mr. Chairman: Yes, that is right, that continues on through; maybe we would like a chance to review this in the next year or two while we are still sitting and hearing presentations.

What other suggestions do you have with respect to the legislation for doing what we can to ensure this is fast and not overly formalized? Is

the answer time lines laid out for the various portions?

Mr. Field: I think there are probably two key time lines if the scenario I outlined is followed. One is the time when the school boards must designate. There would have to be a specific date. This could be in the legislation. I suppose it could be in the guidelines from the planning and implementation commission, but it would have to be a specific date by which everybody must designate. Then I think there should be a decent interval of time for those people who are not designated to decide they want to grieve. I do not know what that time frame would be, but I can see one. After that, the time would have expired. It provides an orderly initiation into the process.

The other advantage I see is that if there were some very good arbitrators the commission could ask them to be available during the month of September or November. Those people could be on a retainer, if you like, or that kind of thing, and get these all done fairly quickly.

The other problem is that if you get into a three-man arbitration, as I am sure Mr. Adams will concur, you always have to find days when all three can be available, and these things tend to be difficult. Good arbitrators are busy people. It is difficult to get them. You may have a grievance today and the arbitrator cannot be there until next March or February. It is this kind of situation in which you are working with excellent arbitrators.

Under the scenario we respectfully submitted, they would be done at a given period during the year and, we hope, expeditiously.

Mr. Adams: Under the School Boards and Teachers Collective Negotiations Act, and this is another aspect of responding to your question, subsection 35(1) provides that a board of arbitration shall issue its decision within 60 days of its appointment.

My experience is if you give a deadline like that you are telling all the parties how informally and expeditiously you want it done. It gives terrific backbone to arbitrators in dealing with a lot of lawyers and parties because the arbitrator will say: "We are not getting into that. We do not have time for it. If we are going to do it, we are going to do it in a very summary way because we have to get this report out."

The legislators simply could not have intended a full-scale Supreme Court trial in these circumstances and it puts the heat on everybody. On the other hand, it limits the number of arbitrators who will line up to do this because it is being brought on so fast. Their calendars are full. It will

force the Education Relations Commission to create and train another group of arbitrators who will become available and develop expertise; but the top people, unless they use cancellations or change their schedule, are not going to be available in the system as I am suggesting. That is more the trend in grievance arbitration, to stick the parties and arbitrators with time limits on hearings and decisions.

Mr. Chairman: Another question I had has to do with whether the planning and implementation commission's rules should be guidelines for designation or whether they should be put into the regulations adjoining this act. We have had a number of people making representations on both sides of that matter. I was wondering if from an arbitration perspective there would be any difference?

That was one of the points you made at the beginning, Mr. Adams, about the clarity of section 136l and the interpretation of that section as one moves into section 136m being very important. Would it be of any significance to have how designation takes place in regulations rather than guidelines? Does that have any effect on an arbitrator's decision-making?

Mr. Adams: The more authoritative the document the easier it is for everyone to understand there is an obligation on the arbitrator to deal with it. If something is a guideline from the planning and implementation commission there is a question of its certified status. Are they going to publish these things? Will they be made

available to the parties? Are they going to change them? What is their status?

I know in many disputes I have been involved in one tends to downplay a document the parties say is relevant but is sort of in the background and arises from a tribunal. It does not seem to be all that authoritative. Nevertheless, if you construe this statute properly, those guidelines are law because the commission is given the authority to make decisions.

In law there is not any difference, but from a practical point of view regulations tend to speak louder, though regulations are not as flexible, they cannot be changed as quickly. They have to come before the legislative process. There is a tendency not to use them when you want to delegate a lot of flexibility in day-to-day decision-making that you do not want to make yourself.

You give it to bodies such as the Ontario Labour Relations Board or the ERC and they do it on a day-to-day basis. That is the judgement you have to make. But in law, the guideline is going to be as authoritative as the regulation. It is just going to take the parties a while to figure that out.

Mr. Chairman: Any more questions or comments? Thank you both very much for a very informative afternoon. It was quite helpful. It adds some extra problems but also makes some suggestions for solutions.

The committee adjourned at 3:30 p.m.

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Johnston, R. F., Chairman (Scarborough West NDP)

Adams, G., Past Chairman, Ontario Labour Relations Board

Field, R. H., Chief Executive Officer, Education Relations Commission

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